

SENATE JOURNAL

OF THE

SIXTH LEGISLATURE

OF THE

STATE OF WASHINGTON.

BEGUN AND HELD AT

OLYMPIA, THE STATE CAPITAL,

JANUARY 9, 1899.

ADJOURNED SINE DIE MARCH 9, 1899.

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COMPILED, ARRANGED AND INDEXED BY
DUDLEY ESHELMAN,
SECRETARY OF THE SENATE.

JOURNAL OF THE SENATE.

FIRST DAY.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday January 9, 1899. }
12 o'clock noon.

The sixth Senate of the State of Washington assembled at the Senate chamber, in the state capitol, pursuant to law, at 12 o'clock noon, this day. Lieutenant Governor Thurston Daniels, *ex officio* president of the fifth Senate, called the Senate to order.

The Secretary of State, Will D. Jenkins, read the following communications :

STATE OF WASHINGTON, DEPARTMENT OF STATE,
OLYMPIA, January 9, 1899.

Hon. Thurston Daniels, President of the Senate, State of Washington :

SIR:—I have the honor to transmit herewith a certified list containing the names of all persons elected as members of the State Senate, State of Washington, at the last general election, held on the 8th day of November, 1898, as shown by the election returns now on file in this office, together with a list of the "hold-over" senators.

Very respectfully, WILL D. JENKINS, Secretary of State.

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,
OLYMPIA, January 9, 1899.

I, Will D. Jenkins, Secretary of State of the State of Washington, do hereby certify that the following list contains the names of all senators elected at the last general election held November 8, 1898, from the districts herein designated, as members of the present Senate :

Second District CHARLES A. MANTZ.
Sixth District.....JOHN H. CARPER.
Seventh DistrictOLIVER HALL.
Twelfth District.....GEORGE H. BAKER.
Fourteenth DistrictJ. G. MEGLER.
Sixteenth District.....GEORGE D. SCHOFIELD.
Twentieth DistrictED. S. HAMILTON.
Twenty-third District.....S. M. LECRONE.
Twenty-fourth District.....JOHN WOODING.
Twenty-fifth District.....ANDREW HEMRICH.

Twenty-sixth District.....HAROLD PRESTON.
 Twenty-seventh District.....W. W. WILSHIRE.
 Twenty-eighth District.....L. B. ANDREWS.
 Twenty-ninth District.....PAUL LAND.
 Thirtieth District.....C. F. CLAPP.
 Thirty-second District.....E. HAMMER.
 Thirty-fourth District.....D. E. BIGGS.
 Fourth District (for unexpired term of H. E.
 Houghton, deceased)HERMAN D. CROW.

In witness whereof, I have hereunto set my hand and affixed the seal
 of the State of Washington, this 9th day of January, A. D. 1899.

[SEAL]

WILL D. JENKINS, Secretary of State.

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,
 OLYMPIA, January 9, 1899.

I, Will D. Jenkins, Secretary of State of the State of Washington, do hereby certify that the following list contains the names of all senators entitled to seats in the present session as "hold-over" senators from the fourth [fifth] session of the Senate of this state :

First District.....FRANK M. BAUM.
 Third District.....W. H. PLUMMER.
 Fifth District.....W. E. RUNNER.
 Eighth DistrictJ. C. VAN PATTEN.
 Ninth District.....JOHN I. YEEND.
 Tenth District.....DAVID MILLER.
 Eleventh DistrictDANIEL PAUL.
 Thirteenth DistrictAUGUSTUS HIGH.
 Fifteenth District.....JOSEPH HILL.
 Seventeenth District.....JOHN McREAVY,
 Eighteenth District.....T. J. MILLER.
 Nineteenth DistrictEDWARD C. KIETH.
 Twenty-first DistrictSTANTON WARBURTON.
 Twenty-second District.....JACOB A. COLE.
 Thirty-first District.....JOHN A. DAVIS.
 Thirty-third District.....S. D. REINHART.

In witness whereof, I have hereunto set my hand and affixed the seal
 of the State of Washington this 9th day of January, A. D. 1899.

[SEAL]

WILL D. JENKINS, Secretary of State.

By direction of the president, the secretary of the Senate, Dudley Eshelman, called the roll of the Senate; all members present.

Associate Justice Anders was invited by the president, and administered the oath of office to the senators-elect as follows: Charles A. Mantz, John H. Carper, Oliver Hall, George H. Baker, J. G. Megler, George D. Schofield, Ed. S. Hamilton, S. M. LeCrone, John Wooding, Andrew Hemrich, Harold Preston, W. W.

Wilshire, L. B. Andrews, Paul Land, C. F. Clapp, E. Hammer, D. E. Biggs, Herman D. Crow.

On motion of Senator T. J. Miller the rules of the fifth session were adopted temporarily.

ELECTION OF OFFICERS OF THE SENATE.

Senator Keith nominated Dudley Eshelman for secretary of the Senate, who was elected by the following vote: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 34.

Senator Wooding nominated Herbert N. De Wolfe for assistant secretary of the Senate, who was elected by the following vote: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 34.

Associate Justice Anders administered the oath of office to the secretary and assistant secretary.

Senator Warburton nominated Edward Wheeler for sergeant-at-arms, who was elected by the following vote: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 34.

Senator Keith nominated Lee Smith for assistant sergeant-at-arms, who was elected by the following vote: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 34.

Associate Justice Anders administered the oath of office to the sergeant-at-arms and assistant sergeant-at-arms.

Senator Keith nominated M. J. McGuinness for minute clerk of

the Senate, who was elected by the following vote: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 34.

On motion of Senator McReavy, the election of employes was dispensed with for to-day's session.

Senator Keith placed Senator Augustus High in nomination for president *pro tem* of the Senate. Senator Preston nominated Senator Megler for president *pro tem* of the Senate.

Senator High received 17 votes, Senator Megler 14 votes and Senator David Miller 1 vote.

Those voting for Senator High were: Senators Biggs, Carper, Cole, Davis, Hill, Keith, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, and Yeend — 17.

Those voting for Senator Megler were: Senators Andrews, Baker, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, LeCrone, Preston, Schofield, Warburton, Wilshire, and Wooding — 14.

Absent or not voting: Senators Baum and High — 2.

Senator High having received a majority of all the votes cast was declared elected.

Senator T. J. Miller placed Willis Rand in nomination for page, who was elected by the following vote: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Hall placed Raleigh George in nomination for page, who was elected by the following vote: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith moved that the Governor be notified that the Senate is organized and ready to receive any communication he may desire to make.

Senator Plummer moved an amendment to the motion that a committee of three senators be appointed by the president to notify the Governor and the House of Representatives that the Senate is organized and ready to transact business and receive communications.

The amendment was carried.

The president appointed Senators Keith, Plummer and Warburton a committee to notify the Governor and the House of Representatives.

At 1:30 o'clock P. M., on motion of Senator Keith, the Senate adjourned until 10 o'clock A. M., January 10, 1899.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, Jan. 10, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

On motion of Senator Keith, Senator Van Patten offered prayer.

The journal of yesterday was read and approved.

On motion of Senator Davis, as amended by Senator Hamilton, the minute clerk, M. J. McGuinness, was allowed leave of absence for a few days, owing to sickness in his family.

On motion of Senator Davis, T. E. Skaggs was elected to serve as minute clerk during the absence of Mr. McGuinness.

President Daniels administered the oath of office to Mr. Skaggs.

The following resolution was introduced by Senator Wilshire:

IN MEMORIAM.

WHEREAS, In the course of nature, Arthur A. Denny has passed to his last rest, and thus closed a long and useful life; and

WHEREAS, He was not only a public spirited pioneer of the territory

(now State) of Washington, but was at one time a distinguished member of its legislative body ; now, therefore,

Be it Resolved by the Senate and House of Representatives of the State of Washington, That the members of the Senate and House of Representatives take this means to express their profound sense of the great loss the State of Washington has sustained in the death of Hon. Arthur A. Denny, who landed upon the shores of Puget Sound in 1851 ; was one of the little colony which settled upon the site of the city of Seattle ; rendered valuable service to the commonwealth as a delegate to congress, and who took a conspicuous part in forming the early history of the State of Washington ; and to express their appreciation of that inflexible integrity, that sturdy earnestness of purpose, and that broad citizenship which marked his whole career and set a standard which it should be our pride and ambition to maintain.

The Senate and House of Representatives direct that this resolution be spread upon the records and that a copy be transmitted to his bereaved family.

The resolution was adopted.

Senator David Miller offered the following resolution :

Resolved, That rule VI be amended by the addition of a committee of seven, to be known as the Committee on Railroads and Transportation, to which shall be referred all matters pertaining to railroads and transportation.

The resolution was adopted.

Senator Plummer was allowed to introduce Senate bill No. 1 : An act appropriating the sum of sixty thousand dollars for the expenses of the sixth legislature.

The bill was read the first time by title ; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title and referred to the committee of the whole.

On motion of Senator Plummer, the Senate resolved itself into the said committee of the whole to consider said Senate bill No. 1.

The bill was considered in the committee, Senator Baum in the chair, and reported back to the Senate with the recommendation that it do pass.

It was then read the third time, the rules suspended, the bill considered engrossed, placed on its final passage and passed by the following vote : Yeas 33, nays 0.

Those voting yea were : Senators Andrews, Baker, Baum, Biggs, Carper. Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer,

Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, Yeend — 33.

Absent or not voting : Senator High — 1.

On motion of Senator Megler, the title was amended to read as follows : An act appropriating the sum of sixty thousand dollars, or so much thereof as may be necessary for the expenses of the sixth legislature.

Senator Yeend moved that a committee of three be appointed to confer with a like committee from the House regarding rules and joint rules.

The motion was carried.

On motion of Senator Cole, the sergeant-at-arms was instructed to procure \$5 worth of stamps for the use of the president, secretary and each member of the Senate.

Senator Land moved that the sergeant-at-arms be instructed to procure \$1 worth of paper wrappers for the use of the president, secretary and each member of the Senate.

The motion was lost.

Senator Land gave the following notice of amendment to the rules :

MR. PRESIDENT :

I now give notice that on to-morrow after the approval of the journal I will ask the Senate to amend the rules so as to increase the membership of the Committee on Labor and Labor Statistics from three to five members.

PAUL LAND.

January 10, 1899.

The following resolution was introduced by Senator T. J. Miller :

Be it resolved by the Senate, That the State Auditor be and he is hereby directed to draw his warrants for the payment of the members and employes of the Senate every tenth day of the session upon pay rolls which shall be signed by the members and certified to by the president and secretary of the Senate, and he is hereby authorized and directed to deliver the warrants so issued to the secretary of the Senate taking his receipt therefor. The incidental expenses of the Senate shall be paid upon vouchers signed by the payees and certified by the president and secretary and attested by the sergeant-at-arms.

On motion of Senator Plummer, the resolution was amended by making the time of payment every week instead of every tenth day.

The resolution, as amended, was adopted.

Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith nominated John Beales for bill clerk.

Mr. Beales received 34 votes and was declared elected.

Those voting for Mr. Beales were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith nominated Clement D. Hellyer for postmaster and messenger.

Mr. Hellyer received 34 votes and was declared elected.

Those voting for Mr. Hellyer were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith nominated Miss Helen Slee for stenographer.

Miss Slee received 34 votes and was declared elected.

Those voting for Miss Slee were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith nominated Robert Swan for janitor.

Mr. Swan received 34 votes and was declared elected.

Those voting for Mr. Swan were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith nominated L. N. Bridges for night watchman:

Mr. Bridges received 34 votes and was declared elected.

Those voting for Mr. Bridges were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith nominated Benjamin Wolf for doorkeeper.

Mr. Wolf received 34 votes and was declared elected.

Those voting for Mr. Wolf were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Keith nominated Charles S. Ryan for assistant doorkeeper and janitor.

Mr. Ryan received 34 votes and was declared elected.

• Those voting for Mr. Ryan were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Schofield nominated Clara Clayton for assistant journal clerk.

Mrs. Clayton received 34 votes and was declared elected.

Those voting for Mrs. Clayton were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Senator Schofield nominated Ethel M. Hunter for docket clerk.

Miss Hunter received 34 votes and was declared elected. Those voting for Miss Hunter were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—34.

Senator Schofield nominated Katherine Baxter for enrolling clerk.

Miss Baxter received 34 votes and was declared elected. Those voting for Miss Baxter were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—34.

Senator Schofield nominated Eva Nethery for stenographer.

Miss Nethery received 34 votes and was declared elected. Those voting for Miss Nethery were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—34.

President Daniels administered the oath of office to the following employes:

Journal clerk.....	J. D. HANNEGAN.
Assistant enrolling clerk.....	S. L. ALEXANDER.
Bill clerk	JOHN BEALES.
Postmaster and messenger	CLEMENT D. HELLYER.
Janitor.....	ROBERT SWAN.
Doorkeeper	BENJAMIN WOLF.
Assistant doorkeeper and janitor.....	CHARLES S. RYAN.
Assistant journal clerk.....	CLARA CLAYTON.
Enrolling clerk	KATHERINE BAXTER.

Senator T. J. Miller introduced the following resolution:

Resolved, That a committee of five senators be appointed to fix the compensation of senate employes and report to the senate tomorrow.

The resolution was adopted.

Pursuant to notice given yesterday, Senator Land introduced the following amendment to the rules:

Resolved, That Senate rule six be and is hereby amended by increasing the membership of the Committee on Labor and Labor Statistics from three to five members.

The amendment was adopted.

Senator Keith moved that the committee appointed to fix the compensation of Senate employes be instructed to fix the maximum of salaries at \$5.00 per day and the minimum at \$4.00 per day.

On motion of Senator Schofield the motion was laid on the table.

The clerk of the House read the following message:

STATE OF WASHINGTON, HOUSE OF REPRESENTATIVES,
January 11, 1899.

MR. PRESIDENT :

The House has passed House joint resolution No. 2, and respectfully refers the same for the concurrence of the Honorable Senate.

W. F. DILLON, Chief Clerk,
House of Representatives.

The foregoing House joint resolution No. 2. was read the first time and, on motion of Senator Wilshire, the rules were suspended and the resolution read the second time by title. It was then read the third time, placed on its final passage and passed by the following vote: Yeas 34, nays 0.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—34.

The president announced Senators Andrews, McReavy and Clapp as the committee to attend the funeral of the late A. A. Denny-

The following resolution was introduced by Senator Cole :

Resolved by the Senate, the House concurring, That the sergeant-at-arms of the Senate and House be instructed to procure a suitable flag for the capitol.

The resolution was adopted.

The committee appointed to arrange for the joint session to listen to the reading of the Governor's message reported that the time of the session had been fixed at 2 o'clock P. M.

On motion of Senator Warburton, at 11:10 o'clock A. M., the Senate adjourned until 1:45 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 1:45 P. M., pursuant to adjournment.

The secretary called the roll, all members being present.

Senator McReavy announced that he would be unable to at-

tend the funeral of the late A. A. Denny, which he regretted very much. Senator Hall was appointed to fill his place.

The president announced the following committees :

Committee to fix compensation of Senate employes : Senators T. J. Miller, Plummer, Biggs, Baker, and Warburton.

Committee to ascertain the price of Ballinger's code : Senators Plummer, Baum, Preston, Mantz, and Schofield.

Committee on Rules and Joint Rules : Senators Yeend, McReavy, and Hamilton.

The clerk of the House read the following message :

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 11, 1899.

MR. PRESIDENT :

The House has passed Senate bill No. 1, an act appropriating money for legislative expenses, with the following amendment : Line "5" section "1," strike "sixty," before "thousand," and insert "fifty," and the same is herewith transmitted. W. F. DILLON, Chief Clerk.

Senator Plummer moved that the Senate concur in the House amendments to the foregoing Senate bill No. 1.

The motion was carried by the following vote: Yeas 27, nays 0.

Those voting yea were: Senators Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Yeend — 27.

Absent or not voting: Senators Andrews, Biggs, Hall, Hammer, Warburton, Wilshire, and Wooding — 7.

On motion of Senator Plummer, at 2 o'clock P. M. the Senate retired to the House, to listen to the reading of the Governor's message.

JOINT SESSION.

The Senate and House of Representatives met in joint session at 2 o'clock P. M. Speaker Guie called President Daniels to the chair to preside over the joint session.

The secretary of the Senate called the roll of the Senate and the clerk of the House called the House roll, all members being present except Senators Andrews, Baker, Hall and Warburton, and Representatives Carpenter, Curtiss, Eames, Mutty, Parker, Pratt, Sims, and Wickersham.

Governor John R. Rogers appeared and delivered the following message :

GOVERNOR'S MESSAGE.

Gentlemen of the Senate and the House of Representatives:

Government, in a republic, must depend upon the intelligence and the sense of justice of the people attempting to govern themselves. Give the people of the Chinese nation a declaration of independence and a United States constitution and nothing with them would be changed. The masses of that people could not comprehend these instruments or their usefulness. For them they could have no usefulness. Likewise for us the proclamation at this time of an absolutely perfect law would be out of place, and for the same reason. As with the Chinese, law can do us no ultimate and final good unless supported by an almost unanimous public opinion. Law not thus supported always does harm in the long run. The pendulum of public opinion, always swaying back and forth in the public mind, having swung to one extreme is almost irresistibly impelled to the other. Revolutions of all kinds, including those just and proper impulses of the body politic in the right direction, have always had much to fear from intemperate advocates, from extremists and from corruptionists who, existing in all political parties, largely escape observation in the ordinary course of events, coming prominently into view only when an attempt is made to get rid of them. Revulsion in the public mind is thus brought about, and men endure what for the time they fear cannot be cured. But the world does move, and sooner or later the public conscience again aroused forces men once more to action. Another step is taken, this time a little in advance of the last. Thus, irresistibly, though slowly and haltingly, the march of public opinion carries us forward. Even in foreign countries we see that public opinion is the power behind the throne greater than the throne itself. In Germany we have recently seen that the emperor has been unable to carry out his will in the matter of socialistic repression. Public opinion would not justify this almost absolute monarch in the measures proposed; and this was sufficient to veto. Even in Russia, half civilized as it is, it is only because the Czar, from his position as the head of the Greek church, is looked up to as the Little Father, and the next in godness and authority to the Great Father, or God Himself, that he is enabled to reign at all. In our own country public opinion is not only the power behind the throne, but it constitutes also the throne itself. Argument, education, and the slow and gradual formation of a just public opinion it is thus seen must precede the enactment of statutes. And yet large numbers believe that if it be possible to induce a mere majority to pass a law, to place upon the statute books a moral mandate, that thereby the thought of man and his daily action which proceeds from that thought can be immediately changed. But this is a fallacy. A people can only advance by the slow and gradual methods which are seen in the long and devious course of the past to have been there effectual. Laws can never properly, nor successfully, out run that general average judgment, that practical unanimity of feeling which we term public opinion.

Among us as Americans government proceeds from the will of the majority as expressed at the polls. It is supported by public opinion which, proceeding from an imperfect mass, being modified to some extent by the thought of the evil as well as of the good, necessarily represents the people who give it expression. If we believe in a republican form of government, if we are to support the government of the majority, we are obliged to say that this imperfect rule is not only for the time right, but that it is the best possible rule; that is, the best possible for the imperfect men who are in this way attempting to govern themselves. In a government of the majority the individual citizen is the unit, and each unit has as much right to have his opinion expressed in the law as any other, for it would be manifestly unjust for a few, even though wiser than the majority, to have their opinions placed in the mandatory law to the exclusion of the wishes of a majority. Government and a code of laws in a republic are expressions of the will of the people, and are always representative of the sum total of the character of the people instituting them. Government and the making of laws, it is thus seen, must necessarily consist of a series of compromises between opposing opinions and interests. For these reasons the only way in which law and government can be permanently bettered and advanced is by slowly and laboriously changing, elevating and educating the masses of the people, and this cannot be done by a mere act of the legislature, or of congress.

If this be true, and I think it cannot be successfully controverted, it should be clear and plain that the only way in which law can be permanently changed for the better is by the slow process of gradually informing and enlightening the public mind and heart. If by unwise and extreme action, or by the passage of laws for which the general public is not yet prepared, the pendulum of opinion is swayed too much in one direction, even though this proceed from the best of motives, it will assuredly go to the other extreme before it can be arrested. No doubt these statements of fact will be exceedingly unwelcome to those hopeful souls who earnestly desire the immediate advent of a better day. And yet if the statements here made are true, if in the way stated it is plain that men can only advance and make permanent gain, it is the duty of all to lay aside the notion of immediately bringing on the millennium by act of legislature and join in the effort to gradually change the current of thought among men. The propagandist of any theory of government will do well to concern himself first with the formation of public opinion. When this has been secured the thing will enact itself. He cannot permanently succeed without this.

I sincerely hope that this legislature will enact those laws called for by the general average judgment of the people of this state, and that it will severely repress any attempt to enact statutes not thus supported.

PUBLIC EDUCATION.

The wisdom, advisability and necessity of public education is a matter upon which public opinion needs no awakening. It is the one subject above all others upon which all true Americans are agreed. How

best at the present time to accomplish the purposes of education remains for this body to determine.

Our state constitution provides as follows, article IX :

"SECTION 1. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex.

"SEC. 2. The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools and technical schools as may hereafter be established. But the entire revenue derived from the common school fund, and the state tax for common schools, shall be exclusively applied to the support of common schools."

In these provisions the American system of public education is plainly set forth thus: "The legislature shall provide for a general and uniform system of public schools." Clearly, then, all property should be taxed alike for the equal benefit of all children, otherwise the system cannot be uniform. There should be, there can be no favoritism whereby a few here and there shall receive large appropriations and large benefits while the majority are left without those educational advantages which have become the birth-right of American citizens. Four years ago the legislature by the passage of what was popularly known at the time as "the barefoot schoolboy law" made an attempt to carry out the mandatory provision of the constitution, "the legislature shall provide for a general and uniform system of public schools." It must be a self-evident proposition to all that no general and uniform system of public education can be established throughout this state except by a state tax to be levied and collected as other state taxes are. Under the law as it now stands taxes not to exceed four mills on the dollar are levied and collected as other state taxes are, sufficient to produce six dollars annually for each child of school age. This not producing a sufficient sum for the support of common schools, is helped out in most instances by the proceeds of local taxation. It is the almost, if not quite, unanimous opinion among the educators throughout the state that the law should be amended and the sum collected for the support of common schools largely increased, and this can be done without increasing the limit of four mills established. I am informed from the office of the State Superintendent of Schools that in 1898 a levy of less than 2½ mills only was required to produce \$6 for each child of school age. At the same rate 3 mills would produce \$8, and 3½ mills would produce \$10. It is probable, however, that a statement even more favorable than this could be made, for the reason that the next two years, from local causes, are likely to see a greater advance in the value of property than in the number of children of school age. The amount collected should be \$10 for each child. This would place Washington at once in the front rank among the states in educational matters, only a slight increase in the rate of taxation being required. The constitution provides that money so collected must be used for the support of the common schools, where nine-tenths of our children get all of the education they are enabled to obtain; it cannot be used for the support of what is called higher education. That colleges and universities are necessary I verily believe, but I do not believe

Among us as Americans government proceeds from majority as expressed at the polls. It is supported which, proceeding from an imperfect mass, being content by the thought of the evil as well as of the good sends the people who give it expression. If we believe in the form of government, if we are to support the government by majority, we are obliged to say that this imperfect government is at times right, but that it is the best possible rule; that it is the best for the imperfect men who are in this way themselves. In a government of the majority the unit, and each unit has as much right to have its say in the law as any other, for it would be manifestly though wiser than the majority, to have the majority make a mandatory law to the exclusion of the wishes of the minority and a code of laws in a republic are expected to be made by the people, and are always representative of the wishes of the people instituting them. Government is thus seen, must necessarily consist of a series of opposing opinions and interests. For the government which law and government can be permanent is by slowly and laboriously changing, by the action of the masses of the people, and this cannot be done by the legislature, or of congress.

If this be true, and I think it cannot be, should be clear and plain that the only way in which government can be permanently changed for the better is by the gradual reforming and enlightening the public mind, not by extreme action, or by the passage of laws which are not yet prepared, the pendulum of government in this direction, even though this proceed

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.....	3,696,445 27
.....	1,076,242 65
.....	596,011 20
.....	675,432 55
.....	894,956 64
.....	602,717 23
.....	575,829 65
.....	457,177 29
.....	242,144 81
.....	85,729 18
.....	13,117,983 17

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.....	\$1,115,464 61
.....	707,041 69
.....	113,823 43
.....	198,620 79
.....	2,298,777 88

that nine-tenths and probably a much greater proportion of pupils in the common schools should suffer and be denied, that one-tenth or less may receive the culture and polish of a college education. Raise the amount collected under the state law to \$10, as was originally proposed, and elevate the standard of education among the great plain people from whom will come, in the future as in the past, the future moulders of opinion and directors of events. I presume that a good readable book, giving a biographical account of some useful and successful man, would probably have a larger influence for good upon the minds of country boys than almost anything else that might be named. And in a general way it may be said that country boys are the only really valuable boys, for among them, almost without exception, will be found the future strong men of the nation. I hope that this legislature will increase the efficiency and the usefulness of the common schools. A comparatively small amount—say \$300 for each county—will supply a small circulating library, say fifteen volumes, in a strong wooden case, for each school in the county; these volumes to be in charge of the county superintendent and circulated from one school to another throughout the county. Each scholar would thus have the benefit of quite a large library. A taste for good reading would thus almost inevitably be acquired and vast and almost incalculable good be done, and the character of the future men and women of this state be elevated to a higher plane.

A demand is now made for the appropriation of money for the support of more normal schools, affording good positions for a few professors, which in actual practice become so many high schools at state expense, particular localities being favored at the cost of the rest of the state. Follow out the plan here suggested of increasing the efficiency of the common schools and each town of any size may have a high school in connection with its graded schools which will afford, with the cadet system and training school now in use in some of our towns, all the advantages of a state normal school, and each county may and ought to have one or more. Let us not particularize, but give all an opportunity. At the present time large numbers of boys and girls in remote country districts are able to have the benefit of only a few months' schooling each year. This partiality should cease. Teachers, like poets, are born and not made. If one has the natural adaptability and the necessary education he will make a good teacher. If he has not these two essential qualifications, the state is wasting money in attempting to work against nature.

During the recent visit to this state of President David Starr Jordan, whose fame as an educator is co-extensive with the Union, I consulted him regarding the educational problems now presented to the people of our young and growing state. Indiana, he told me, has but one normal school, and it is a good one and its diploma of value. He spoke strongly against the policy of increasing the number of state normal schools, and gave it as his opinion that no normal school upon this Coast, as at present conducted, is of especial value to the educational system of the state supporting it. He was of opinion, as we all are now, I presume,

that the Agricultural College and the State University should have been consolidated. Now, however, that mistake cannot be remedied. Let us see to it that we do not make like mistakes in the future. Let us have as few colleges for the less than one-tenth of our youth who attend as possible. We shall then be able to liberally sustain them.

REVENUE AND TAXATION.

If the state is to continue to exist it must be supported and taxes must be collected. Public opinion demands that these be taken from citizens and corporations in just proportion to their possessions. Evidently those having large interests stand in greater need of the protection of the law than do those having little or no property to protect. Much inequality in the assessment and collection of taxes has, however, been the rule in this state as in many others. Some of the older states have, however, made notable and successful efforts toward remedying this injustice.

In New York, Pennsylvania and New Jersey state taxes are largely obtained by taxing corporation stock, incomes, collateral inheritances, foreign insurance companies, the liquor traffic, etc. In Pennsylvania this is notably the case, as shown from the report of the state treasurer for the year 1897 :

Tax on personal property.....	\$2,476,241 77
Tax on capital stock.....	3,696,445 27
Tax on corporate loans.....	1,076,242 65
Tax on bank stock.....	596,011 20
Tax on corporate gross receipts.....	675,432 55
Tax on collateral inheritances.....	894,956 64
Bonus on charters.....	602,717 23
Tax on premiums.....	575,829 65
Wholesale liquor licenses	457,177 29
Bottlers, brewers and distillers' licenses.....	242,144 31
Tax on incomes.....	85,729 18
Various other items, aggregating in all.....	13,117,983 17

From this it will be seen that some \$12,000,000, in round numbers, are obtained in Pennsylvania from corporations and estates which in this state largely escape taxation.

The system of taxation is followed to some extent in New York, as is seen from the following report of the state comptroller of New York for the year 1898 :

Insurance tax.....	\$199,797 07
Organization tax.....	152,646 34
Corporation tax.....	2,259,646 49
Inheritance tax.....	1,829,941 83
Excise tax	4,002,938 21
Various other sources.....	263,554 82
Amounting in all to the sum of.....	8,708,524 76

In the state of New Jersey the same plan has been in part adopted. From the report of the state comptroller for 1897 the following extracts are taken :

Tax on railroad corporations.....	\$1,115,464 61
Tax on miscellaneous corporations.....	707,041 69
Tax on collateral inheritances.....	113,823 43
From official fees.....	198,620 79
Various other items, amounting in the aggregate to the sum of.....	2,298,777 88

The comptroller of New York in his last report recommends that the system of taxation in operation in the state of Pennsylvania be followed more generally than has been the case in New York. Gov. Pingree of Michigan in his last message calls the attention of the legislators of that state to the inheritance tax as a just and proper means of deriving revenue which should be placed in operation. Ohio, too, has begun to adopt the methods employed in Pennsylvania.

Two years ago the attention of the legislature was called to the fact that large interests escape taxation while the struggling home-owner is, as a consequence, burdened with unjust and unnecessary taxation. But little attention was paid to my recommendation. I again ask that these wrongs be righted. If all are compelled to pay their just share of necessary taxation, thereby sensibly reducing the rate or per cent. paid, renewed confidence will be felt by financiers everywhere in our ability to deal justly with all. The much desired investment of outside capital will readily follow.

In 1897 the Treasurer was directed to invest the money held in certain funds in state warrants at par. This he has been unable to do, by reason of the fact that warrants could not be obtained without paying 2 to 3 per cent. premium. At the present time the amount of money on hand is still larger than at that time. I am of the opinion that the rate of interest should be reduced to five per cent. and the Treasurer required to invest idle money in warrants at market rates. This would save large sums to the state. During the last two years alone \$300,000 have been paid as interest upon the state indebtedness. Upon warrants accrued interest has averaged twenty per cent. of the amount paid. In private business this would be shameful. What merchant having large sums of money in one place would pay thousands of dollars in interest because the money to pay his debts while in his possession was not in a particular drawer of his safe? Some day the state will have but one fund and business will be conducted as it would be by any reputable bank. Hundreds of thousands of dollars will not then be paid as interest to warrant dealers, for the reason given that while money to pay is in one pocket it is not in another. I hope that this legislature will have the wisdom and the honesty to come to the rescue of the unjustly treated taxpayer.

The revenue law of 1897, while possessing some features not unanimously approved, has yet proved most effective and much the best, all things considered, yet placed upon the statute books. The usual biennial disposition to amend the laws may be expected to attack it and yet it is submitted that a known and settled policy is of large value in this matter. When taxes are levied they should be collected, and as there can be no effective law without penalty, some plan must be used making it cheaper to pay than not to pay. If this is not done large corporations put off payment as long as possible and then offer to compromise at half rates. Often in the past this course has been successful in defrauding the treasury to the injury of honest citizens. I hope that efforts in this line may not be countenanced by this body. In my opin-

ion, by following the course outlined and pursuing a careful and economical policy the State of Washington may shortly pay off its entire indebtedness. The statement of the State Auditor, just published, will show that during the past two years state indebtedness has been reduced more than a half a million dollars. In addition to this more than three hundred thousand dollars as interest upon debts previously accumulated has been paid.

PUBLIC INSTITUTIONS.

In the message to the legislature of 1897 it was recommended that the several boards having charge of the Penitentiary, Reform School, the two Insane Hospitals, the Soldiers' Home and the School for Defective Youth be abolished and the control of these institutions be vested in one board, one member only to be salaried, who should perform the services usually devolving upon a Traveling Auditor. It was also suggested that under this improved management supplies could be more advantageously purchased, more responsibility and greater system secured and in the aggregate a large saving affected. In accordance with this suggestion the law creating the State Board of Audit and Control was passed and the institutions named, with the exception of the School for Defective Youth, were placed in its charge. With the exception of some slight and almost infinitesimal misunderstandings at the time of assuming control, the work of this board has proven most advantageous to the state in the matter of economy and to the inmates in increased comfort and improved surroundings. All the institutions are in a most prosperous condition and the inmates carefully and considerately treated.

For details regarding these institutions see the several printed reports of their various superintendents; also that of the Commissioner of Public Institutions. As showing the saving effected the following carefully prepared and accurate statistical table is submitted:

STATE PENITENTIARY.

Average daily cost per capita, two years ending March 31, 1897.....	.4486
Average daily cost per capita, 18 months ending September 30, 1898.....	.3930
Daily saving per capita, 18 months ending September 30, 1898.....	.0506
Average population.....	362
Saving per day.....	\$18 82
Saving for 18 months or 548 days.....	10,039 86

WESTERN WASHINGTON HOSPITAL FOR THE INSANE.

Average daily cost per capita, two years ending March 31, 1897.....	.4268
Average daily cost per capita, 18 months ending September 30, 1898.....	.3662
Daily saving per capita, 18 months ending September 30, 1898.....	.0606
Average population.....	540.3
Saving per day.....	\$32 74
Saving for 18 months or 548 days.....	17,941 52

EASTERN WASHINGTON HOSPITAL FOR THE INSANE.

Average daily cost per capita, two years ending March 31, 1897.....	.5589
Average daily cost per capita, 18 months ending September 30, 1898.....	.4335
Daily saving per capita, 18 months ending September 30, 1898.....	.1254

Average population.....	288.7
Saving per day.....	\$36 20
Saving for 18 months or 548 days.....	19,837 60

STATE REFORM SCHOOL.

Average daily cost per capita, two years ending March 31, 1897.....	.3670
Average daily cost per capita, 18 months ending September 30, 1898.....	.3324
Daily saving per capita, 18 months ending September 30, 1898.....	.0346
Average population.....	143.4
Saving per day.....	\$4 96
Saving for 18 months or 548 days.....	2,688 08
Total saving in the above institutions.....	50,506 56

WASHINGTON SOLDIERS' HOME.

Average daily cost per capita, two years ending March 31, 1897.....	.44
Average daily cost per capita, 18 months ending September 30, 1898.....	.4508
Increase in cost per capita, 18 months ending September 20, 1898.....	.0108
Average population.....	116.4
Increase in cost per day.....	\$1 25
Increase in cost for the 18 months.....	685 00
Total net saving in all institutions.....	49,821 56

In the face of a slightly rising market the saving for the full biennial term will be considerably more than \$60,000. Added to this the following will show a decrease in expense of management:

Expenses of the various boards of trustees for the two years ending March 31, 1897.....	\$9,908 50
Expenses of the State Board of Audit and Control for 18 months ending September 30, 1898 (this amount includes all office expenses which are not included in Trustees' expenses.....	5,775 01

No doubt local influences will be brought to bear upon the legislature to bring about a return to the old and discarded plan of local management. The method here practiced, however, of a central and responsible head employing a traveling auditor to constantly supervise and oversee local superintendents is that made use of by all large and efficiently managed corporations. Indeed, no other plan is now considered successful or business like. How a railway company, for instance, would be able even to continue in existence if business done at each town and city on its route should be conducted by a local board constituted from "our best citizens," it might be difficult to determine, and yet this was precisely the way in which the different state institutions were managed when the State Board of Audit and Control took charge.

The school for defective youth should be, by amendment to the statutes, included in the number of institutions under the charge of this board, as at first proposed. In this way a large saving and better management can be secured. In round numbers the number of inmates at this school has been about the same as at the State Reform School. At the reform school the boys and girls are kept for twelve months in the year. At the school for defective youth but nine months in each year. At the reform school the inmates are mostly strong and healthy, making large demands upon the eatables provided from day to day. At the school for defective youth, on the contrary, the children are smaller,

not so rugged, and it would appear should be much less expensive, when it is considered that school continues but nine months in the year, and yet the appropriations for the two institutions for the last biennial term were as follows:

SCHOOL FOR DEFECTIVE YOUTH.

Maintenance.....	\$58,060 00
Electric light plant.....	1,800 00
Total.....	\$59,860 00

STATE REFORM SCHOOL.

Maintenance	\$24,000 00
Salary fund.....	14,000 00
Furnishing and repairs	2,000 00
Transporting juvenile offenders to school.....	3,000 00
Total.....	\$43,000 00

In addition it may be said that in no state will be found a better managed institution or one in which greater good has come to its inmates than the Washington State Reform School under the most efficient care of Director Thomas P. Westendorf. People from all over the Union are loud in their praises of the good work done there, and yet a careful economy has brought the per capita cost of that institution to less than 34 cents per day. At the Oregon reform school the daily cost per capita for the last twenty months is more than 80 cents, as given by officials.

Believing that a wise economy directs the payment of good salaries to trusted financial agents, I recommend that the salary of the commissioner of public institutions be raised from \$1,500 to \$2,000 per annum.

RAILWAY LEGISLATION.

Public opinion throughout this state regarding railway fares and freight rates has long ago crystalized and become fixed. No large body of the people, no sensible citizen even, wishes to unduly tax or to embarrass the railways in their management, but it is known to all that the people have for years been entitled to relief from excessive charges imposed by these public carriers. Against the influences exerted in this house in times that are past public opinion and the just complaints of shippers have proved weak and ineffectual. The wind raised by the passage through these halls of railway attorneys has toppled over legislature after legislature. Elected upon the most solemn promises to do all in their power to curb the despotic rule of their railway masters, legislators have trumped up specious excuses for use among their constituents at home, but the fact remained that they were false to the trust given into their charge by their constituents. Thus time has passed and the people have wondered whether indeed we were possessed of a republican form of government or whether our real masters were not ensconced in easy chairs in the directors' rooms in New York and Boston. At no time has the general public throughout the whole state been more strongly impressed with the rightfulness of a prudent, cautious and just supervision by the state of railway fares and freight rates than is the case at this present moment. It is not the feeling in any quarter that our railways should be subjected to unjust

impositions, but rather that railroad managers should be prevented by just and proper legal enactments from unjustly imposing ruinous rates upon the growing traffic of our young and most promising state. And yet in spite of this unanimous feeling among all classes and conditions of our citizenship it is whispered about, has become a matter of common notoriety, no member of this body being ignorant of it, that the railroads will prevent at this session the passage of just and proper laws for the relief of the people in this matter. The names and positions of men making these statements make the matter worthy of notice.

In view of these things I ask the legislature to manfully do its duty, thus proving the statements of railway attorneys and advocates to be but the idle boastings of those who would prevent that justice which you are here to secure. To the legislature of 1897 the Governor said:

"The proper regulation and control of common carriers, including railroad and steamship lines, telegraph and telephone companies, is a problem difficult of solution. Government ownership is the only final remedy; but that is yet in the future. Freight rates and passenger fares in this state are exorbitant. They should be reduced. But whether public interest would best be subserved by placing the matter altogether in charge of a commission; or attending to it by direct legislative enactment, those most to be benefitted by a reduction are not agreed. It seems to me that the best results could be obtained from a law establishing a maximum scale of rates and fares, and providing for the enforcement of the law through the agency of a commission, giving the commission power to further lower the scale, as time and circumstances may justify. Inasmuch as the governor of the state is responsible for the execution of the laws, I believe that such commission should be appointed by him, any member of it to be removable at the will of the governor. Thus faithfulness to the people would be insured, or the governor justly held to account. The expenses of a transportation commission ought not to be burdensome, and would amount to an infinitesimal part of the direct benefit accruing to the patrons of common carriers within the state, as a result of reduced rates and a better regulated service."

To what was then said I have to add that a decision of the United States supreme court in the Nebraska case, since rendered, has emphasized the necessity of a railway commission as the only practical means of securing the remedies desired. This commission should consist of three men, one of whom at least, should belong to the political party in opposition to the appointing power. The members should be broad minded men of affairs, possessing the confidence of the people of the state; men who would be able to carry an even and impartial hand in the decision of the complex matters brought before them. This commission should be given all the necessary power, the decisions of the board to be appealable to the supreme court. The board should be appointed by the Governor and should be removable by him. If elected for four years its members very soon become fixtures in their own minds, and as has been the case in other states, little good to the people results. We will suppose for the moment a proper law passed by this legislature, and that some future Governor appoints a board of railway commissioners that fails in its duty. Immediately the people are able to bring the responsibility home to the Governor, and even though he be a weak and ordinary politician, for his own security and the maintenance of a political reputation, he will be obliged to heed the com-

plaints of the people. Thus a remedy is always at hand. But all would fail if the board were not given sufficient power.

FREE PASSES.

I renew the recommendation made to the legislature of 1897 regarding the giving and acceptance of free passes by transportation companies. It was then said :

"Section 89 of article 2 of the state constitution stipulates that: 'It shall not be lawful for any person holding public office in this state to accept or use a pass, or to purchase transportation from any railroad, or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision.' Section 20 of article 12 of the constitution provides as follows:

"'No railroad or other transportation company shall grant free passes or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature, or to any person holding public office in this state. The legislature shall pass laws to carry this provision into effect.'

"The legislature has never passed the necessary laws to enforce the provisions of the constitution, and hence they have been practically inoperative. No time should be lost in providing by law that corporations issuing free passes and officials accepting them shall be properly punished."

THE NATIONAL GUARD.

The fathers of the republic were unanimous in the belief that a well regulated militia was one of the chief supports of our system of government. So long as our government is loved and trusted so long will the people spring to arms in its defense when assaulted either from within or without. The volunteer soldiery has always deserved well of the nation when properly commanded and directed. Wise and considerate care directed to the equipment and maintenance of a military force to be used only when demanded by the best interests of the whole people will be well repaid by the preservation of public order. Instant readiness to repel assaults upon the honor of the state or nation will of itself tend to prevent attack and preserve the peace. It is with states and nations as with men. He who does not stand ready to defend his rights will shortly have no rights worth protection. I believe a moderate sum should be appropriated by this legislature for the support of the national guard. Attention is called to the printed report of the Adjutant General.

Early in March 1898, serious trouble appeared to be brewing among the fishermen of the Columbia river upon substantially the same grounds as had previously led to the calling out of the national guard in what was at the time jocularly known as "The Sand Island War." Application, however, to the national authorities, removed all source of trouble.

The following telegram was sent March 25 :

Hon. Russell A. Alger, Secretary of War, Washington, D. C.:

I am reliably informed that certain parties have begun driving piling on the south side of Sand Island, a Government reserve just inside the mouth of the Columbia river. If permitted to erect permanent fish-traps at this place a very dangerous obstruction to navigation will be permitted. Several hundred fishermen pursuing their daily avocation will have their lives placed in jeopardy. If permission has been granted these men to erect permanent fishing appliances at this point please have the order revoked. Please wire reply.

J. R. ROGERS, Governor.

To this the Secretary of War replied as follows :

WAR DEPARTMENT, WASHINGTON,
April 2, 1898.

Hon. J. R. Rogers, Governor of Washington, Olympia, Wash.:

SIR—Replying to your telegram of the 25th ultimo, with reference to pile driving and the erection of fish traps on the south side of Sand Island, at the mouth of the Columbia river, I beg to inform you that the local engineer officer at Portland, Oregon, reports to the chief of engineers, United States army, under date of March 30, 1898, that fish traps at the locality indicated will not interfere in the least with navigation proper, but that they are in violation of the act of September 19, 1890, and that therefore he will direct their removal. Very Respectfully, R. A. ALGER, *Secretary of War.*

Thus what at one time seemed likely to cause an outbreak was promptly checked.

During the late war with Spain the men of the national guard being given the privilege of volunteering in the service of the United States, honored the state by a prompt and most gratifying acceptance. The guard as a state organization was not called out for service. The state had no need of its services. When called upon by the president for troops in the recent Spanish war, one regiment of infantry was named as the quota of the State of Washington. I immediately communicated by wire with the several captains of the different companies of the guard throughout the state. Dispatches were sent to each as follows :

MONDAY, April 25, 1898.

To Captain.....,, Wash.:

How many men can you offer for enlistment in infantry regiment of Washington volunteers United States service? How soon can you have them ready for mustering into service? What equipment can you supply? Wire answer.

J. R. ROGERS, *Governor.*

Twelve captains were selected and given authority—not as state's guardsmen but under the call of the President for United States volunteers—to each raise a company for service in the national army.

Other telegrams were sent, and on Friday, April 29, orders to march were issued as follows :

To Captain.....,, Wash.:

You and company take Northern Pacific train for Tacoma Saturday. Bring with you all camp equipage and utensils and blankets. Take seven days' rations according to United States regulations. Advise men to provide well with clothing and blankets. For rations get bill against United States government in triplicate. For transportation sign vouchers against United States government for number of men and baggage.. and keep copy. Leave balance of property, if any, with responsible person according to instructions from General Ballaine. Wire answer. J. R. ROGERS, *Governor.*

Sunday morning, May 1, the full regiment was in camp just outside the city of Tacoma, more men offering than the government would, at that time, accept. Afterward, under a second call the state was asked to furnish additional men to fill up the regiment to a maximum of 1326, which was done. It is not too much to say that reports of the soldierly bearing and gentlemanly conduct of the officers and men of the First Washington Volunteers wherever that regiment has appeared, have caused a thrill of pride to glow within the heart of every good citizen of the state. And this largely comes from the fact that the men of this regiment received their training as members of the national guard.

Under a second call from the national authorities additional men were furnished, as has been stated, to the First regiment and an independent battalion of four companies was mustered in at Tacoma and assigned to duty at Vancouver barracks. This organization, too, by its rapid improvement and assumption of soldierly life and duties won the good opinion of all who had an opportunity to observe it.

On October 28, 1898, the independent battalion was mustered out of service.

At the present time the guard is being reorganized and equipped under the immediate supervision of the adjutant general, a most competent officer. That an able man may be retained in this position I recommend that the salary of the adjutant general be raised to \$2,000 to correspond with that now paid the heads of other departments.

At the time of volunteering in the service of the general government it was understood that the United States would pay all expenses of transportation and subsistence from the day on which the men left their homes. Arrived in camp in Tacoma many were rejected for physical disability and have since laid claim to reimbursement for their services from the state. But this has been inadmissible. The state did not order them out nor had it any use for their services. It is suggested, however, that wise economy and just care of the patriotic citizens who volunteered, though unable to pass muster, might make it the duty of this body to appropriate such moneys as will afford claimants able to prove their service a reasonable remuneration.

EXAMINATION OF STATE BANKS.

One of the most important matters to be brought before the legislative department of this state will be the enactment of a law providing for examination of state banks and the appointment of a state bank examiner. Greivous losses have fallen upon depositors in banks in this state in the past, such as might have been prevented by the proper regulation and examination of state banking institutions. The state is able to and certainly should throw around such institutions the safeguards now existing with relation to national banks. The business of banking is eminently a public one, depending for its success upon the use of deposits made by the public. The people who do business with the banker, and the general public, thus acquire a right to know the state of affairs prevailing in the institutions upon which business in the several communities is made largely to depend. Honest and prosperous bankers will welcome examinations at frequent intervals, which will give them opportunity to advertise their standing and increase their business, while dishonest and unsuccessful ones should be weeded out, to the great advantage of communities infested by them.

THE FISHERIES.

The salmon fisheries of the state have, in the past, been wonderfully productive. Of late, however, evidence of a decrease in run is apparent, and all are agreed that something ought to be done to prevent the final extinction of a great industry. Two methods are urged: regulation of

the means employed in taking the fish, and artificial propagation. The most enlightened government regulations, such as are in force in Europe and followed to some extent at least in the neighboring territory of British Columbia, utterly prohibit some of the appliances made use of in this state. My own opinion is that this prohibitive legislation proceeds from scientific knowledge, and that the use of appliances here, prohibited there, arises from that short sighted policy which looks only to present profit, regardless of the future. For myself, however, I make no pretension to knowledge in this matter, commending it to your most painstaking and patient care.

Artificial propagation of fish, while comparatively new, appears to rest upon approved grounds, being supported by practical as well as scientific men. Hatcheries have been established and most successfully managed in this state. In the present conditions of affairs these appear to be the only means of keeping up the supply and thus preserving the industry.

The fisheries of this coast in all their different departments bid fair at no distant day to prove a source of great wealth. No industry of the state can be more benefitted by wise and protective legislation. The fish commissioner has prepared a very interesting and valuable report to which I ask attention.

STATE CAPITOL.

The State of Washington is and has been since its organization without a suitable building for the various state offices. At the present time offices are rented at an annual rental of over six thousand dollars. Some inconvenience results from crowded quarters and lack of proper appliances. To remedy this, some years ago an architect was employed, a plan adopted and a foundation prepared for the erection of a capitol building, estimated to cost about a million dollars. The constitution of this state provides in the most explicit terms that the indebtedness of the state shall never exceed the sum of \$400,000. There has been donated, however, by the general government to the State of Washington 132,000 acres of wild land for the purpose expressed of aiding in the construction of public buildings. Laws have been passed creating a capitol commission and providing for the creation of a capitol building fund to arise from the proceeds of the lands when sold. On this imaginary fund, which has never contained a dollar, warrants bearing eight per cent. interest, aggregating \$95,374.73 have been issued. These, with accrued interest amount at the present time to about \$125,000. For this sum, which is increasing at the rate of about \$8000 annually, the state has the foundation before referred to for which the contractors received less than \$48,000. During the legislative session of 1897 a bill was supposed to have passed, although it lacked the constitutional number of votes in the House, appropriating \$500,000 from the aforesaid capital building fund. On \$250,000 of this, by the terms of the bill, the state guaranteed interest at the rate of four per cent. The bill did not adequately protect the state, did not receive a constitutional majority and was vetoed by the Governor.

The building of state capitols, has with few exceptions, led to enormous expenditure and many scandals. The state of Iowa appropriated \$2,000,000 and had expended at last accounts \$5,000,000. Whether the building is yet completed or not I am not advised. This is, I think, an average example as public buildings are now constructed. Nearly forty years ago New York adopted a plan and appropriated \$10,000,000, which sum it was agreed was ample for the completion, construction and furnishing of the finest state capitol in the land. Considerably more than \$20,000,000 has been spent upon the building, change after change made in the plans, and the last message of Governor Frank S. Black, of 1898, expresses the hope that the edifice begun nearly forty years before may soon be finished.

The people of this state are radically opposed to any plan which commits the state to extravagance of this character, just as we are beginning to pay off past indebtedness and improve our financial standing. It is proposed, however, to issue warrants drawn upon a fund which may have an existence when the wild lands previously mentioned have been sold and from the proceeds of the sale of these warrants build a capitol. But this has already been tried. During the session of 1895 \$930,000 was appropriated by the legislature from this non-existent fund; making with the \$70,000 in warrants previously issued, an even million of dollars. Bids were called for and submitted and a resolution passed by the capitol commission that if warrants could be sold at par the contract should be let to the lowest bidder. But the warrants could not be sold and no contract was entered into. Evidently investors were afraid of the security, for where in the United States did public lands ever bring anything but paltry sums per acre into the state or national treasuries? The tide lands belonging to the state during the halcyon days of "the boom" were said to be worth \$30,000,000, but although these lands were undoubtedly of exceptional value from their proximity to growing cities, they have been largely frittered away for comparatively small sums.

In the present emergency a plan has been a number of times suggested which if approved by this body might bring immediate relief and settle for the time at least a vexing question. The Thurston county court house, it has been said, could by a proper presentation of the matter be purchased by the state. This is a beautiful building, costing some \$150,000. With an ell or wing to be added to the rear containing the necessary chambers for the Senate and House of Representatives, all necessary accommodations could there be secured at a moderate cost and without delay.

STATE PRINTING.

Since the organization of the state the following appropriations have been made for public printing :

1890.....	\$ 40,000
1891	60,000
1891-3 (Deficiency).....	52,500
1898.....	70 000
1898-5 (Deficiency).....	5,000

1895	\$50,000
1897, including revolving fund and printing charged to maintenance funds, at least	60,000
Total.....	\$337,500

It is not claimed by anyone conversant with state matters that this large sum has been necessarily or wisely expended.

South Dakota is a state of about Washington's population and presumable public business. In that state the appropriation for public printing for two years last past was \$15,000, only \$12,000 of which was used. North Dakota expended \$10,000. In Montana the appropriation was only \$6,000. A deficiency has resulted, however, and the total expense will probably reach from \$8,000 to \$10,000. In Idaho the appropriations for public printing have been as follows :

1891.....	\$ 7,550
1893	10,250
1895	11,600
1897.....	6,650

The appropriations for the four states of Montana, Idaho, North Dakota and South Dakota for public printing for the last biennial term amount to \$37,650, or only a little more than half that required in the state of Washington. In each of these states public printing is let by contract.

On the other hand Oregon with a system similar to our own has expended during the last two years from \$80,000 to \$100,000.

I have presented these matters for consideration with the hope that the legislature will be able to provide a remedy for much unnecessary expenditure, adding that any good business man would make short work of the difficulty. In my opinion reputable Washington firms can be found to perform all necessary services in this line for one-half the money previously expended.

CONCURRENT LEGISLATION.

Some action should be taken looking to concurrent legislation in the states of Washington and Oregon regulating and licensing salmon fishing on the Columbia river where it forms the boundary line between the two states. At the present time there being no concurrent laws upon the subject there is constant clash of authority between the said states. It is almost impossible to enforce Washington laws upon the subject, as they are constantly violated by fishermen living on the Oregon side of the river, and to enforce the law simply to compel residents of Washington to contribute license fees to a fund for the propagation of fish to be caught by Oregon fishermen who pay no license and make no contribution to said fund is unjust to residents of this state.

The boundary line between the states of Oregon and Washington on the lower Columbia, having become uncertain by reason of changes in the channel of said river, leaves the question of jurisdiction of the respective states over a certain district in doubt. Some trouble has already occurred from this cause and more may at any time appear. Concurrent action should be had defining the boundary.

The State of Washington has a Board of Pilot Commissioners for the

Columbia river and bar. The State of Oregon has a similar organization. Difficulties are constantly arising regarding a division of business and it is claimed that Washington boats and pilots are but indifferently treated as a result of the previous failure of Washington lawmakers to protect their interests. I recommend that steps be taken to secure the passage of concurrent laws regulating these matters in the states of Oregon and Washington. Attention is called to the report of the Board of Pilot Commissioners for the Columbia river and bar.

PARIS AND OMAHA EXHIBITS.

In the year 1900 a great exhibition is to be made at Paris, France, of the products and manufactures of the civilized world. This is expected to eclipse all previous efforts in that line. The United States has already secured large space. In that year, on July 4, there is to be unveiled in Paris a statute commemorative of the Marquis de LaFayette, the early friend of America. When that time comes the feelings of all among us will be strongly aroused and much attention also will be then attracted among the nations of the world to the United States as the new Land of Promise. I believe that a moderate appropriation should be made for the proper presentation at Paris of Washington's attractions.

During the coming summer at Omaha, Nebraska, the exposition which last year proved so successful is to be continued under another name with apparently increased opportunities for usefulness. It is believed that a moderate appropriation for use in presentation of Washington's claims at Omaha would also prove a wise expenditure of public money.

MISCELLANEOUS RECOMMENDATIONS.

The statute of 1895 providing for and allowing actions to be brought against the state in the superior court of Thurston county should be repealed. By means of this law it will be possible for designing men to loot the state treasury or to cumber the records with judgments against the state. The legislature may be relied on to prevent injustice to individuals as the result of peculiar or particular circumstances or conditions.

Chapter LXIV, Session Laws of 1897, known as the log scaling law, has been found ineffectual and should be amended or repealed to the end that the interests of those in the logging business may be protected.

Experience has shown that in addition to the sum usually appropriated for the suppression of riots and invasions, the Governor should have at his command a fund to be used only on extraordinary occasions for examination into alleged infractions of the laws.

I am of the opinion that a statutory time limit should be placed to receiverships as now conducted. It ought not to be possible for a receiver to continue himself in office *ad infinitum* or to legally pay himself in salary or per diem the major portion of the funds committed to his care.

CONCLUSION.

It should be remembered that the scale of expenditure established at the time of the admission of this state to the Union was far in excess

of the just and proper rate consistent with a due regard for the struggling industries of a new commonwealth. Much of this has simply called attention to the unwisdom of our advisers. No state can be made richer, stronger, or more desirable as a place of residence by pursuing a policy leading to excessive taxation. Indeed nothing can so attract immigration and the investment of wealth among us as the steady pursuit of an opposite policy. Men whom we are anxious to attract and who are worth attracting, whose coming among us would aid and strengthen us, are close observers in these matters and cannot be allured by the mere glittering generalities of the real estate dealer or the panegyrics of hired scribblers.

The following resolution was introduced by Mr. Frye :

Be it Resolved by the Senate and House of Representatives in joint convention assembled, That the Governor be and he is hereby thanked for his address to the Legislature, and is assured of a respectful attention to his recommendations.

Be it further Resolved, That appropriate action be taken by the respective chambers with a view to having the address printed.

The resolution was adopted.

On motion of Senator Schofield the joint session dissolved.

President Daniels called the Senate to order at 3:30 P. M.

The secretary called the roll, all members being present except Senators Andrews, Clapp, and Hall, who were excused.

Senator Schofield moved that the sergeant-at-arms be instructed to procure \$5 worth of stamps for Senator Wooding, whose stamps were lost before they reached him.

The following concurrent resolution No. 1 was introduced by Senator Plummer:

Resolved by the Senate, the House concurring, That the Governor's message be printed and 2,500 copies furnished for the public service.

The resolution was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 2, by Senator T. J. Miller: An act making an appropriation for the office of the Commissioner of Public Lands.

The bill was read the first time, and on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title and referred to the committee of the whole.

The following communication was read by the secretary :

To the Members of the Legislature of the State of Washington, sixth regular session :

The following reasons given in detail will explain why this appropriation is requested at your hands :

First. Before the first day of March it is necessary for this department to prepare thirty-four abstracts of all lands deeded and contracted by the State of Washington within the past year, which abstracts will cost, approximately, two hundred dollars.

Second. Before the first day of April, this department will require for postage and incidental expenses, the sum of three hundred dollars.

Third. Messrs. Kerr & McCord, attorneys of Seattle and Whatcom, have advanced and paid for the platting of the second class Whatcom tide lands at a cost of \$110. The original receipted bill of Jas. E. McFadden, engineer, who performed the services is now on file in this office.

Fourth. The approximate cost of advertising sale of this tide land and timber on state lands is one hundred dollars.

Fifth. As the contingent fund of three thousand dollars appropriated in the general appropriation bill of 1897 is exhausted, it having been necessary in addition to the amount appropriated directly for clerk hire, to pay out of said contingent fund part of the salaries of two regular clerks of this department, it will now be necessary to appropriate the sum of four hundred and fifty dollars for salaries for the months of January, February and March for two clerks at \$75 per month each.

Contingent fund. A contingent fund of \$440 will be necessary.

On motion of Senator T. J. Miller, the communication was ordered printed with the bill.

Senate bill No. 3, by Senator Plummer: An act appropriating the sum of twelve thousand five hundred dollars out of the capitol building fund for the relief of Moffatt Bros.

The bill was read the first time, and on motion of Senator Plummer, the rules were suspended, the bill read the second time by title and referred to the Committee on Claims and Auditing.

Senate bill No. 4, by Senator Plummer: An act to amend section 1 of an act entitled "An act providing for a state wagon road, beginning at a point on the Columbia river opposite the town of Marcus, Stevens county, thence following the state road as near as practicable as at present laid out to a point on the east bank of the Methow river opposite the mouth of the Twisp river; thence over and across the summit of the Cascade mountains on the line as already laid out and established to a point on the west bank of the Skagit river, and connecting with the present county road at or near Marble Mount in Skagit county, and making an appropriation therefor, and declaring an emergency," approved March 16, 1897, and being section 1, chapter 101, of the Session Laws of 1897; providing for the alteration

and extension of the route of the state wagon road established by said act and the improvement of said road, making an appropriation therefor and declaring an emergency.

The bill was read the first time, and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 5, by Senator Baum: An act providing for the constitutional amendment conferring power upon the Legislature to exempt certain property from taxation.

The bill was read the first time, and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 6, by Senator McReavy: An act providing for a fish hatchery on the Skokomish river, Mason county.

The bill was read the first time, and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title and referred to the Committee on Fisheries.

Senate bill No. 7, by Senator Mantz: An act for protection against the spread of Canadian and Russian thistles and for the destruction of the same, and for the payment of costs for destroying the same.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title and referred to the Committee on Agriculture.

Senate bill No. 8, by Senator Cole: An act to regulate the transportation of bicycles, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title and referred to the Committee on Railroads and Transportation.

Senate bill No. 9, by Senator Megler: An act to establish a fish hatchery on the waters of Willapa Harbor and making an appropriation for the same.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title and referred to the Committee on Fisheries.

Senate bill No. 10, by Senator Cole: An act to amend an act entitled "An act for the protection of game animals and birds,

and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, defining their duties, fixing their compensation and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington," approved March 11, 1897.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 11, by Senator T. J. Miller: An act relating to competency of jurors.

The bill was read the first time; and, on motion of Senator T. J. Miller the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 12, by Senator Plummer: An act appropriating money for postage and incidentals and for clerical assistance in the office of the Secretary of State.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee of the Whole.

Senate bill No. 13, by Senator Megler: An act to establish an experiment station for the propagation of eastern oysters in the waters of Willapa harbor and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 14, by Senator Cole: An act fixing maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof.

The bill was read the first time; and on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Railroads and Transportation.

Senate bill No. 15, by Senator Cole: An act to amend section 1 of the Penal Code of the State of Washington, as compiled by W. Lair Hill, defining the crime of murder in the first degree and fixing the punishment therefor, and declaring an emergency.

The bill was read the first time ; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 16, by Senator Cole : An act providing a penalty for any citizen of the State of Washington, who accepts or uses a pass, or who purchases transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and providing a penalty for railroad or other corporations who issue transportation or a pass to any citizen of the State of Washington, other than as the same is sold or issued to the general public.

The bill was read the first time ; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Railroads and Transportation.

Senate bill No. 17, by Senator Biggs : An act entitled an act to appropriate for the support of fire departments of each city, town or village in the State of Washington, a part of the premiums received by fire insurance companies in any such city, town or village.

The bill was read the first time ; and, on motion of Senator Biggs, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 18, by Senator Biggs : An act providing for an amendment to the constitution of the State of Washington, exempting personal property from taxation.

The bill was read the first time ; and, on motion of Senator Biggs, the rules were suspended, the bill read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

On motion of Senator Keith, the sergeant-at-arms was instructed to procure the printed reports of the state officers for the use of the senators.

On motion of Senator Megler, at 4:20 P. M. the Senate adjourned until 10 o'clock A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 12, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Andrews, Clapp and Hall, who were excused, and Senator Preston.

The journal of yesterday was read and approved.

The president announced the following standing committees:

Agriculture.—Hall, Hill, High, Baker and Van Patten.

Appropriations.—High, Paul, Clapp, Biggs, Carper, Hamilton and Runner.

Claims and Auditing.—Keith, Hemrich, Davis, Warburton and Plummer.

Commerce.—Clapp, High and Andrews.

Constitution and Constitutional Revision.—Preston, Hill, Hall, Runner, Land, David Miller and Megler.

Corporations other than Municipal.—Warburton, Carper, Crow, Mantz, Wilshire, Biggs and Davis.

Counties and County Boundaries.—Baker, Mantz, Paul, Baum and Hammer.

Dikes, Drains and Drainage.—Hammer, McReavy and Rinehart.

Education.—Van Patten, Keith, LeCrone, Land and Preston.

Educational Institutions.—David Miller, Wilshire, Biggs, Runner and Paul.

Elections and Privileges.—Paul, Hill, Cole, Biggs and Hemrich.

Engrossed Bills.—Megler, Cole and Preston.

Enrolled Bills.—Crow, Yeend and Mantz.

Fisheries.—McReavy, Megler, High, Schofield, Biggs, Baker and Davis.

Harbor and Harbor Lines.—Schofield, Rinehart, Hemrich, T. J. Miller and LeCrone.

Irrigation and Arid Lands.—Carper, Baker, Runner, Baum and Yeend.

Judiciary.—Plummer, Warburton, Carper, Preston, Schofield, Mantz, Crow, Yeend and Baum.

Labor and Labor Statistics.—Land, Hammer, Davis, T. J. Miller and Warburton.

Manufactures.— Hemrich, McReavy and Clapp.

Medicine, Dentistry, Surgery and Hygiene.— Biggs, Carper and LeCrone.

Memorials.— Andrews, Van Patten and Rinehart.

Military.— Wooding, Plummer, Megler, Baum and T. J. Miller.

Mines and Mining.— Baum, Hemrich, Davis, Crow, Mantz, Runner and Keith.

Municipal Corporations.— T. J. Miller, Warburton, Plummer, David Miller, Crow, Schofield and Wilshire.

Printing.— Cole, Rinehart, LeCrone, Van Patten and Keith.

Public Buildings and Grounds.— Hamilton, T. J. Miller, McReavy, Wooding and Cole.

Public Morals.— Van Patten, Andrews and Yeend.

Public Revenue and Taxation.— Wilshire, Hill, Hall, Baum, Yeend, Hamilton, Keith, Cole and Land.

Railroads and Transportation.— Runner, Hamilton, David Miller, Schofield, Paul, T. J. Miller and Clapp.

Roads and Bridges.— Hill, Baker, High, Megler, Hammer, Mantz and Wooding.

Rules and Joint Rules.— Rinehart, Wooding and McReavy,

Salaries and Mileage.— David Miller, Hammer, Plummer, Wooding and Hall.

State Charitable Institutions.— LeCrone, High, Biggs, Runner and Keith.

Senate Employes other than Regular.— Mantz, Hall, Land, Baker and Plummer.

State, Granted, School and Tide Lands.— Davis, Carper, Megler, Van Patten, Andrews, David Miller and Hamilton.

State Library.— Wilshire, Cole and Preston.

State Penal and Reformatory Institutions.— Yeend, Warburton, Paul, Crow and Land.

Senator Plummer moved that a committee of five be appointed to group the committees and recommend the number of clerks to be employed.

The motion was carried.

Senator McReavy moved that the Senate employes, who had not already been sworn in, be sworn in.

The motion was carried.

President Daniels administered the oath of office to the following employes : Night watchman, L. N. Bridges ; engrossing clerk, Eva Connick ; stenographer, Eva Nethery.

Senator High introduced Senate memorial No. 1 : Relative to the Northern Pacific land grant.

The memorial was read the first time; and, on motion of Sen-

ator High, the memorial was read the second time by title, ordered not printed, and referred to Committee on Memorials.

On motion of Senator Yeend, Mr. Gray, contestant for the seat of Senator Mantz, was allowed the courtesy of the floor of the Senate pending the settlement of the contest.

The committee on compensation of Senate employes submitted the following report :

SENATE CHAMBER,

OLYMPIA, WASH., January 12, 1899.

To the President and Members of the Senate :

We, your committee appointed to recommend the compensation to be paid the officers and employes of the Senate, beg leave to report as follows : We recommend the following schedule of daily compensation :

Secretary.....	\$5 00
Assistant secretary.....	4 50
Sergeant-at-arms.....	5 00
Assistant sergeant-at-arms.....	4 00
Minute clerk.....	4 00
Journal clerk.....	4 00
Assistant journal clerk.....	4 00
Enrolling clerk.....	4 00
Assistant enrolling clerk.....	4 00
Engrossing clerk.....	4 00
Assistant engrossing clerk.....	4 00
Bill clerk.....	4 00
Judiciary.....	4 50
Docket clerk.....	4 00
Stenographers.....	4 00
Pages.....	2 00
Chief doorkeeper.....	4 50
All other employes, including committee clerks.....	3 50

Respectfully submitted,
Concurred in by

THOS. J. MILLER, Chairman.
GEO. H. BAKER.
D. E. BIGGS.
S. WARBURTON.
W. H. PLUMMER.

Senator High moved that the report be adopted.

Senator Hamilton moved as an amendment that the salary of the committee clerks be fixed at \$4 per day.

Senator Crow moved as an amendment to the amendment that the salary of the secretary be fixed at \$6 per day and the salaries of all other employes the same as on page 43 of the Senate Journal of 1897 except the enrolling clerk, whose salary shall be fixed at \$4 per day.

Senator Crow moved that the question be divided in order that a vote might first be taken on the salary of the secretary.

The motion was lost.

Senator High moved that the question be temporarily laid on the table pending appointment of permanent committees.

The motion was lost.

The amendment to the amendment was lost by the following vote. Yeas 7, nays 23, absent or not voting 4.

Those voting yea were: Senators Crow, Hemrich, LeCrone, Megler, Warburton, Wilshire, and Wooding—7.

Those voting nay were: Senators Baker, Baum, Biggs, Carper, Cole, Davis, Hamilton, Hammer, High, Hill, Keith, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, and Yeend—23.

Absent or not voting: Senators Andrews, Clapp, Hall, and Preston—4.

Senator Hamilton moved as an amendment to the amendment that the salary of the secretary be fixed at \$6 per day.

The motion was lost.

The amendment was carried by the following vote: Yeas 22, nays 8, absent or not voting 4.

Those voting yea were: Senators Baker, Baum, Carper, Cole, Davis, Hamilton, High, Hill, Keith, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten; Wooding, and Yeend—22.

Those voting nay were: Senators Biggs, Crow, Hammer, Hemrich, LeCrone, Megler, Warburton, and Wilshire—8.

Absent or not voting: Senators Andrews, Clapp, Hall, and Preston—4.

The report of the committee, as amended, was adopted.

The secretary read the following communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 12, 1899.

*To the Honorable the Senate of the State of Washington, Senate Chamber,
Olympia, Washington:*

GENTLEMEN:—I have the honor to submit herewith a list of appointments made and not heretofore reported to you for confirmation:

REGENTS AGRICULTURAL COLLEGE.

John B. Allen, Seattle.

H. W. Canfield, Colfax.

R. C. McCroskey, Garfield.

REGENTS UNIVERSITY OF WASHINGTON.

George H. King, Seattle.

Alden J. Blethen, Seattle.

Richard Winsor, Seattle.

John P. Hoyt, Seattle.

C. M. Easterday, Tacoma.

James Z. Moore, Spokane.

L. D. Godshall, Everett.

TRUSTEES STATE NORMAL SCHOOL, ELLENSBURG.

Clyde Warner, Ellensburg. E. E. Wager, Ellensburg.
Johnson Nickeus, Tacoma.

TRUSTEES SCHOOL FOR DEFECTIVE YOUTH, VANCOUVER.

Augustus High, Vancouver. P. Hough, Vancouver.
J. N. Percy, Kelso. Dr. Horace E. Merkel, Seattle.

STATE BOARD OF AUDIT AND CONTROL.

Ernest Lister, Tacoma. Henry J. Snively, North Yakima.
John C. Stallcup, Tacoma. W. M. Ridpath, Spokane.
J. Eugene Jordan, Seattle.

STATE DAIRY COMMISSIONER.

E. A. McDonald, Tacoma.

STATE FISH COMMISSIONER.

A. C. Little, Aberdeen.

STATE BOARD OF MEDICAL EXAMINERS.

Dr. E. Van Zandt, New Whatcom. Dr. J. P. Turney, Davenport.
Dr. J. H. Hoxie, Spangle. Dr. P. B. M. Miller, Seattle.
Dr. E. C. Grove, Spokane. Dr. P. B. Swearingen, Tacoma.

STATE BOARD OF HEALTH.

M. F. Terry, M. D., Seattle. D. C. Newman, M. D., Spokane.

PILOT COMMISSIONERS FOR PUGET SOUND, ETC.

Horace Guptil, Port Angeles. George H. White, Port Angeles.

STATE FAIR COMMISSIONERS.

Dan. Stewart, Walla Walla. F. D. Schnebley, Ellensburg.
T. B. Gunn, North Yakima. J. M. Baxter, North Yakima.
William Lee, North Yakima.

STATE LIBRARIAN.

Herbert Bashford, Tacoma.

STATE LOG SCALER.

E. Johns, Puyallup.

MILITARY OFFICERS N. G. W.

J. D. McIntyre, (Brigadier General) Major E. H. Fox, Adjutant General)
Seattle. Tekoa.

Yours Respectfully,

J. R. ROGERS.

Governor of Washington.

On motion of Senator Keith, as amended by Senator Wilshire,
the consideration of the foregoing appointments was made a
special order for Friday, January 20th, at 11 o'clock, A. M.

The secretary read the following communication from the Governor :

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 12, 1899.

*To the Honorable, the Senate of the State of Washington, Senate Chamber,
Olympia, Washington :*

GENTLEMEN :— I herewith return, without my approval, bills passed by the Senate, Session of 1897.

My reasons for disapproval will be found appended.

Yours Respectfully,

J. R. ROGERS,
Governor of Washington.

On motion of Senator Warburton the vetoed Senate bills together with the veto messages were ordered printed.

On motion of Senator Megler, the vetoed Senate bills were made a special order for Tuesday, January 17, at 2 o'clock P. M.

The secretary read the following communication from the Secretary of State :

STATE OF WASHINGTON, DEPARTMENT OF STATE,
OLYMPIA, January 12, 1899.

To the Honorable the President of the Senate, Senate Chamber:

SIR:—I have the honor, in accordance with the requirements of section 12, of Article III, of the state constitution, to transmit herewith for the consideration of the Senate, Senate bill No. 273, passed by the legislature of 1897, three items of which were vetoed by the Governor.

Very respectfully,

WILL D. JENKINS, Secretary of State.

STATE OF WASHINGTON, DEPARTMENT OF STATE,
OLYMPIA, January 12, 1899.

To the Honorable the President of the Senate, Senate Chamber:

SIR:—I have the honor to report that Senate bill No. 194, entitled "An act to amend an act relating to public lands declaring an emergency," and Senate bill No. 250, entitled "An act for the relief of George W. Babcock," both of which bills were duly passed by the legislature of 1897, were vetoed by the Governor and filed in my office.

On the 6th day of January, 1899, the Governor, through his private secretary, requested that these bills be delivered to him for the purpose of preparing for transmission to the legislature his reasons for such veto. Believing that the request was made in good faith delivered the bills to the Governor's private secretary, retaining his receipt for the same. Since that date I have made repeated requests for the return of these bills, in order that I might, in accordance with the requirements of Sec. 12 of Art. III of the constitution, transmit the same to the Senate for consideration. Failing to secure their return, on the 11th day of January, 1899, I caused to be delivered to the Governor the following formal demand:

January 11, 1899.

Hon. J. R. Rogers, Governor of the State of Washington, Olympia, Wash.:

DEAR SIR:—On January 6, 1899, your private secretary, Mr. J. H. Pelletier, made the request that Senate bills Nos. 194 and 250, and House bills Nos. 66, 182, 307 and 620, all of said bills having been passed by the legislature of 1897 and vetoed, be delivered to him on your account, in order that you might prepare the message required by law to be transmitted to the legislature in relation thereto. I hold Mr. Pelletier's receipt for the Senate and House bills mentioned. It is my desire, in conformity to law, to transmit these vetoed bills to the present session of the legislature, and I hereby make formal demand for their immediate return to this office. Yours respectfully,

[Signed]

WILL D. JENKINS, Secretary of State.

Which demand he has failed and refused to comply with.

I acknowledge the technical legal error in permitting these vetoed bills to go out of my custody, and can only plead in extenuation the confidence which I had in the Governor's good faith in the premises.

This report is made in order that the Senate, being apprised of the facts, may take such action in the premises as they may deem proper.

Very respectfully,

WILL D. JENKINS, Secretary of State.

On motion of Senator Runner, the communications were ordered placed on file.

The president announced the following as the committee to group the committees and recommend the number of clerks: Senators Plummer, Wilshire, Paul, Megler and Carper.

On motion of Senator Schofield, at 12:05 o'clock, P. M., the Senate adjourned until tomorrow at 10 o'clock A. M.

DUDLEY ESHELMAN,

Secretary of the Senate.

THURSTON DANIELS.

President of the Senate.

FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 13, 1899. }
10 o'clock A. M.

President Daniels called the senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll all members being present except Senators Andrews, Clapp, Davis, Hall, and Van Patten, who were excused.

The journal of Thursday was read and approved.

Senator Mantz asked leave to withdraw from the Committee on Elections and Privileges, which leave was granted.

President Daniels ordered the following changes made on the standing committees: Senator Paul chairman of the Committee on Elections and Privileges; Senator Mantz chairman of the Committee on Senate Employes other than Regular, and that Senator Keith of the Fisheries Committee and Senator Biggs of the Printing Committee exchange places.

President Daniels administered the oath of office to Ethel M. Hunter, docket clerk.

Senator Yeend asked that the secretary read the memorial on his desk relating to the State Penitentiary. The secretary read the memorial which is as follows:

MEMORIAL.

To the Honorable Legislative Assembly of the State of Washington:

Your memorialists, citizens and voters of the State of Washington, and county of Walla Walla, hereby represent:

That there are three or four hundred prisoners incarcerated in the penitentiary of the State of Washington; that while they are well cared for as to physical necessities, no provision is made for their moral and intellectual needs, such as a well seated hall would afford.

We consider this a wrong to these unfortunates, even guilty ones, who are under the care of the state in prison, and hence a reproach to the name of our beloved and honored State of Washington. We, therefore, your memorialists, respectfully and earnestly request your honorable body to provide in connection with the penitentiary of the state a good and well seated assembly hall sufficiently large to contain the prisoners, where lectures and addresses may be delivered and intellectual and moral instruction imparted by philanthropic people.

And your memorialists will ever pray.

Signed by J. J. Morison and 841 others.

On motion of Senator Yeend the memorial was referred to the Committee on Public Morals.

The secretary read the notice of contest of Senator Gray versus Senator Mantz.

Senator Plummer moved that the matter be referred to the Committee on Judiciary, with instructions to make their findings of fact and conclusions of law and report back to the Senate. The motion was carried.

By request of Senator Plummer the secretary read the following resolution in regard to the death of Senator H. E. Houghton:

CONCURRENT RESOLUTION No 3, BY SENATOR PLUMMER.

WHEREAS, An all-wise Providence has removed from our midst our esteemed friend and brother, Hon. Horace E. Houghton, a Senator of the State of Washington, and one whose life has been prominently identified with the history of the state, from its territorial organization to the present day.

His able and faithful public services in all important trusts to which he was called, the ability and integrity which he manifested throughout his public and private career, and the uniform kindness and courtesy which characterized him in all the relations of life, endeared him to a large circle of friends, to the legal profession, public servants and to the community, by all of whom he is justly held in grateful remembrance.

His many excellent traits of character, presented through a long, useful and honorable life rendered him one of the most distinguished and respected citizens of the state. The members of this Legislature in common with the whole community, deeply deplore his loss, and join with profound respect, regret and reverence in paying this last tribute to his memory; therefore, be it

Resolved by the Senate of the State of Washington, the House concurring, That in the death of Senator Horace E. Houghton, the state has been deprived of one of its most useful and honored representatives, the legal profession of one of its noblest and most distinguished members, and society of one of its brightest ornaments; and be it further

Resolved, That as a testimonial of our high appreciation of his life, services and character, and of his many friends as statesman, lawyer, patriot, citizen and friend, these resolutions be spread upon the minutes of both Senate and House, and a copy be transmitted to his family, and the proceedings of this Legislature in the premises be given to the press for publication; and be it further

Resolved, That the chair by him at the last session of the Senate be properly draped in commemoration of our departed member.

The resolution was adopted.

Senate concurrent resolution No. 4, was introduced by Senator Land as follows:

Resolved by the Senate the House concurring, That, whereas, since the last session of the Legislature of the State of Washington, the Almighty in His infinite wisdom has called unto Himself The Hon. Virgil A. Pusey, a former member of this body; therefore, be it

Resolved, That the Senate and House of Representatives of the State of Washington, ever mindful of the debt of gratitude the state owes to his memory as a faithful servant and an honorable citizen, hereby expresses its sincerest respect for the memory of the deceased and heartfelt sympathy to his bereaved family, and be it further

Resolved, That a copy of this resolution be spread upon the journal of the Senate and House and the secretary be instructed to forward a copy to the family of the deceased.

The resolution was adopted.

REPORT OF SPECIAL COMMITTEE ON THE GROUPING OF COMMITTEES.

SENATE CHAMBERS, January 13, 1899.

To the President and Members of the Senate :

We your committee appointed to group the several committees, and recommend the number of clerks therefor, beg leave to recommend the following :

Group 1. Judiciary.

Group 2. Revenue and Taxation; Library.

Group 3. Appropriations; Fisheries.

Group 4. Education; Irrigation and Arid Lands; Printing.

Group 5. Railroads and Transportation.

Group 6. Corporations other than Municipal; Dikes and Drainage.

Group 7. Commerce; Constitution and Constitutional Revision; Harbor and Harbor Lines.

Group 8. Municipal Corporations; Medicine and Surgery; Rules and Joint Rules.

Group 9. Labor and Labor Statistics; State Penal and Reformatory Institutions; Public Morals; Educational Institutions.

Group 10. Elections and Privileges; Senate Employes other than Regular; Salaries and Mileage; Enrolled Bills.

Group 11. Mines and Mining; Roads and Bridges; State, Granted and School Lands.

Group 12. State Charitable Institutions; Public Buildings and Grounds; Manufactures.

Group 13. Counties and County Boundaries; Agriculture.

Group 14. Military; Memorials.

We further recommend that the clerks be selected by the chairmen of the committees comprising the respective groups.

(Signed)

W. H. PLUMMER, Chairman,

JOHN H. CARPER,

J. G. MEGLER,

DAN PAUL,

W. W. WILSHIRE,

Committee.

On motion of Senator Plummer the report was adopted.

Senator Plummer, chairman of the special committee appointed to purchase a Code for the use of the Senators, reported that the committee recommended that a copy of Ballinger's Code be purchased for each Senator, the president and secretary.

Senator Preston moved an amendment to the report, "that 17 copies of the Code be purchased, being one for each desk." The amendment was declared lost.

Senator Wilshire moved an amendment to the report "that

each member deposit \$10 with the sergeant-at-arms as security for the return of the Code to the state at the end of the session." The amendment was declared lost.

The question was put on the adoption of the report and was declared carried. On motion of Senator Preston the roll was called on the adoption of the report, which was adopted by the following vote: Yeas 18, nays 12, absent or not voting 4.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Cole, Davis, High, Hill, Keith, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Warburton and Yeend — 18.

Those voting nay were: Senators Crow, Hamilton, Hammer, Hemrich, Land, LeCrone, Mantz, Preston, Reinhart, Schofield, Wilshire and Wooding — 12.

Absent or not voting: Senators Andrews, Clapp, Hall and Van Patten — 4.

On motion of Senator Plummer, Oscar Ingram, judiciary clerk, changed places with Helen Slee, stenographer.

On motion of Senator T. J. Miller, the president appointed Senators T. J. Miller, Biggs and Wooding, a committee to secure rooms for the committees.

INTRODUCTION OF BILLS.

Senate bill No. 19, by Senator Hemrich: An act requiring horseshoers to pass civil service examination.

The bill was read the first time; the rules were suspended, the bill was read the second time by title; and, on motion of Senator Hemrich, was referred to the Committee on Labor and Labor Statistics.

Senate bill No. 20, by Senator Davis: An act to establish and maintain a fish hatchery on the Snohomish river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill was read the second time by title, and referred to Committee on Fisheries.

Senate bill No. 21, by Senator T. J. Miller: An act to amend section 3, chapter 69, of the Session Laws of 1893.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill was read the second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 22, by Senator T. J. Miller: An act to establish the legal rate of interest in the State of Washington, and to prevent usury.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 23, by Senator Yeend: An act making appropriation to the state penitentiary, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill was read the second time by title, and referred to the Committee of the Whole.

Senate bill No. 24, by Senator Yeend: An act making appropriation from the revolving fund of the state penitentiary, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 25, by Senator Baker: An act providing for the survey, establishment and construction of a state road along the North bank of the Columbia river from Lyle, in Klickitat county, Washington, to Washougal, in Clarke county, Washington, creating a commission therefor, defining their duties, making an appropriation therefor and declaring an emergency.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 26, by Senator LcCrone: An act authorizing the incorporation of banks of discount and deposit, to be known as state banks, trust companies and savings banks, regulating their conduct to the public, creating a board of bank commissioners, defining their powers and duties and fixing their compensation.

The bill was read the first time; and, on motion of Senator LcCrone, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 27, by Senator Crow: An act authorizing the issuance and sale of bonds, by cities, to pay for local improve-

ments, providing for the payment thereof, repealing an act entitled "An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefitted by local improvements, and declaring an emergency," approved March 9, 1893, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 28, by Senator Hammer: An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to insure the better education of such practitioners in the State of Washington.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine.

Senate bill No. 29, by Senator Megler: An act to provide for the establishment of a state road from Montesano, Chehalis county, by way of North River Valley, Willapa, South Bend, Nehama river, Nasel river and Gray's River Valleys, to a point on the Columbia river at Brookfield, Wahkiakum county, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 30, by Senator Biggs: An act to establish and maintain a fish hatchery on the Nooksack river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Biggs, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 31, by Senator Runner: An act to establish and maintain a fish hatchery on the Little Spokane river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 32, by Senator Land: An act to establish and maintain a fish hatchery on the White river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 33, by Senator Plummer: An act providing for the operation of street cars, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations other than Municipal.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 13, 1899.

MR. PRESIDENT :

The House has passed House bill No. 78, entitled "An act making appropriations for deficiencies in appropriations for transportation of juvenile offenders, etc.

W. F. DILLON, Chief clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 13, 1899.

MR. PRESIDENT :

The House has passed Senate concurrent resolution No. 1, entitled "An act to provide for printing of 2500 copies of the Governor's message for the public service."

W. F. DILLON, Chief clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 13, 1899.

MR. PRESIDENT :

The House has passed Senate concurrent resolution No. 2, entitled "An act providing that the sergeants-at-arms of the Senate and House be instructed to procure a suitable flag for the Capitol."

W. F. DILLON, Chief clerk.

The president administered the oath of office to Oscar Ingram, stenographer, and Helen Slee, judiciary clerk.

A motion by Senator Cole, that when the Senate adjourn, it adjourn until Monday at 2 o'clock P. M., was carried.

A resolution offered by Senator Megler, "That the Secretary of State be requested to furnish one copy of the Session Laws of 1897, to each senator, and the president and secretary," was carried.

The secretary read the report of the Committee on Enrolled Bills, as follows :

MR. PRESIDENT :

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 1, entitled "An act appropriating the sum of fifty thous-

and dollars or so much thereof as may be necessary for expenses of the Sixth Legislature," have had the same under consideration, and we respectfully report the same back to the Senate as correctly enrolled.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

JOHN I. YEEND,

C. A. MANTZ.

President signed the Enrolled bill No. 1.

J. H. Brown was sworn in as committee clerk of group 10, M. E. Miller clerk of group 13, Genieveve Forrest clerk of group 2, Tom Sammons clerk of group 12.

By request of Senator Reinhart, the secretary read Senate rule No. 54.

On motion of Senator Mantz the Senate adjourned at 12:05 P. M., until 2 o'clock P. M., Monday, January 16th, 1899.

DUDLEY ESHELMAN,

THURSTON DANIELS,

Secretary of the Senate.

President of the Senate

EIGHTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 16, 1899. }
2 o'clock P. M.

President Daniels called the Senate to order at 2 o'clock P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Plummer who was excused.

The following message from the House was received and placed on file.:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 16, 1899.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 5, entitled "An act relating to legislation by the Dominion of Canada at Ottawa with reference to the exclusion of citizens of the United States from the gold fields of Atlin," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

The journal of Friday was read and approved.

President Daniels administered the oath of office to John N. Janeway, committee clerk of group 4.

On motion of Senator Yeend, J. P. DeMattos was elected clerk of the Committee on Penal and Reformatory Institutions.

The following committee clerks were elected: H. L. Bowmer, committee clerk of group 9, on motion of Senator David Miller; James Miller, clerk of group 3, on motion of Senator McReavy; H. G. Anderson, clerk of group 11, on motion of Senator Baum; Hannah O'Toole, clerk of group 6, on motion of Senator Hammer; E. C. McReavy, clerk of group 8, on motion of Senator Biggs; J. A. Miller, clerk of group 14, on motion of Senator Wooding; E. J. Delbridge, clerk of group 7, on motion of Senator Preston.

Senator Keith moved that an assistant bill clerk be selected.

Senator Hamilton moved that the motion be laid on the table. Carried.

Senator Land asked that the consent of the Senate be given that Judge McGilvra, of Seattle, occupy the floor of the Senate to deliver a communication, which was granted.

Senator Preston introduced the following resolution, by request:

WHEREAS, There is a vacancy in the commission of the United States, on the United States and British joint high commissions, for the adjustment of Canadian questions, caused by the demise of Honorable Nelson Dingley, and

WHEREAS, The states of the Pacific Coast and northwest are wholly unrepresented upon said commission, therefore, be it

Resolved, by the legislature of the State of Washington that the President of the United States be and hereby is respectfully requested to take into consideration the interest and right of representation which the states referred to have in the matter of appointment to fill this vacancy.

On motion of Senator Crow the resolution was referred to the Committee on Memorials.

The special committee to secure rooms for the use of the various committees reported as follows:

To the President and members of the Senate:

We, your committee to secure rooms for the use of the various committees, respectfully report that the county commissioners tendered the use of the equity court room, jury room No. 1 and jury room No. 4 in the Thurston county court house. The Judiciary Committee can meet in the State Library; the Appropriation Committee in the office of the State Land Commissioner; two or three committees can meet in

the Senate chamber and adjoining rooms. In view of these accommodations your committee feels that no expense for committee rooms need be incurred.

THOS. J. MILLER
JOHN WOODING,
D. E. BIGGS.

On motion of Senator David Miller the report was adopted.

The special committee appointed to attend the obsequies of Hon. Arthur A. Denny, reported as follows:

To the President and Members of the Senate:

Your committee appointed to attend the obsequies of the late Hon. Arthur A. Denny at the city of Seattle on the 12th day of January, A. D. 1899, beg leave to report that they attended the funeral, together with a committee from the House of Representatives selected for a like purpose, and duly expressed by such attendance our sympathy individually and the sympathy and regrets of the Legislative Assembly of the State of Washington with the family, relatives and friends of the deceased.

L. B. ANDREWS, Chairman.

Placed on file.

REPORT OF COMMITTEE ON SALARIES AND MILEAGE.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, respectfully report that the members of this Senate are entitled to mileage as follows:

<i>Names.</i>	<i>Miles.</i>	<i>Amount.</i>
F. M. Baum.....	1,282	\$128 20
Chas. A. Mantz.....	1,056	105 60
W. H. Plummer.....	866	86 60
Herman D. Crow.....	866	86 60
W. E. Runner.....	958	95 80
John H. Carper.....	986	98 60
Oliver Hall.....	1,042	104 20
J. C. Van Patten.....	770	77 00
John I. Yeend.....	724	72 40
David Miller.....	730	73 00
Daniel Paul.....	1,074	107 40
George H. Baker.....	528	52 80
Augustus High.....	280	28 00
J. G. Megler.....	420	42 00
Joseph Hill.....	128	12 60
George D. Schofield.....	80	8 00
John McReavy.....	205	20 50
Thomas J. Miller.....		
E. C. Keith.....	118	11 60
Ed. S. Hamilton.....	66	6 60
S. Warburton.....	66	6 60
J. A. Cole.....	66	6 60
S. M. LeCrone.....	66	6 60
John Wooding.....	107	10 70
Andrew Hemrich.....	147	14 70
Harold Preston.....	147	14 70
W. W. Wilshire.....	147	14 70
L. B. Andrews.....	147	14 70
Paul Land.....	160	16 00
C. F. Clapp.....	240	24 00
J. A. Davis.....	233	23 30
E. Hammer.....	318	31 80
S. D. Reinhart.....	358	35 80
D. E. Biggs.....	340	34 00
Totals.....		\$1,471 70

And we recommend that the president and secretary of the Senate issue to the members certificates of the amounts due them for mileage in accordance with this report.

Respectfully submitted.

Report concurred in by :

DAVID MILLER, Chairman.

W. H. PLUMMER,

JOHN WOODING,

E. HAMMER.

On motion of Senator David Miller, the report was referred to the Committee on Claims and Auditing.

The following communications were received from the Governor :

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, January 14, 1899.

To the Honorable, the Senate of the State of Washington, Senate Chamber, Olympia, Washington:

GENTLEMEN—In accordance with section 11, article 3, of the constitution, I hereby transmit a list of pardons, commutations and remissions of fines granted by me up to the present time. Yours respectfully,

J. R. ROGERS, Governor of Washington.

A motion by Senator Hamilton that the names of those pardoned only be read, was amended by Senator Megler that the list of pardons be printed. The amendment was carried.

Following are the names of those pardoned :

PARDONS GRANTED.

GUM, JOHN W.—Sentenced from Columbia county, October 17, 1894, for ten years for stealing a horse. Pardon granted February 5, 1897. From affidavits on file it would appear that there is grave doubt that Gum really committed the crime for which he was sentenced. He is a young man and the sole support of aged parents. Pardon recommended by the Warden of the penitentiary, and by numerous officials and citizens.

RIGHTER, CHARLES.—Sentenced from Pierce county, May 14, 1895, for ten years for the crime of sodomy. Pardon granted February 24, 1897. Righter was a boy of seventeen years of age at the time he was sentenced and was not aware of the consequences of the act for which he was sentenced. He was a tool in the hands of old and vicious men. This sentence would appear excessive under the circumstances. In this case the trial judge made a personal appeal for Righter's pardon. Recommended by trial judge, prosecuting attorney and various officials of Pierce county.

DONALDSON, ROBERT.—Sentenced from King county, January 30, 1897, for one year for burglary. Sentence commuted to one year in county jail, March 2, 1897. A showing was made that Donaldson was suffering from a disease which needed surgical attention which could better be had in the county jail than in the state penitentiary. Commutation recommended by trial judge and other officials.

CAREY, WILLIAM—Sentenced in King county, March 9, 1896, to be hanged for the crime of murder in the first degree. Sentence commuted to imprisonment for life, April 15, 1897. Testimony produced during the trial proved that Carey was intoxicated at the time of the commission of the crime for which he was sentenced, and hence it probably was not premeditated. Carey murdered an Indian woman in Seattle. Commutation recommended by the State Board of Pardons, trial judge, prosecuting attorney, a majority of the jurors who tried the case and by numerous reputable citizens.

HARGIS, FRANK.—Sentenced from Whitman county, October, 1895, for three years for grand larceny. Pardon granted April 15, 1897. In this case there was a doubt as to

whether the crime committed was grand larceny or petit larceny. Hargis had served eighteen months of his sentence when pardon was recommended. Recommended by trial judge, prosecuting attorney, prosecuting witness and numerous citizens of Whitman county.

WINTERS, ESSIE.—Sentenced from King county, Nov. 12, 1896, for one year for grand larceny. Pardon granted April 24, 1897. Essie Winters was sentenced to a term of one year in the penitentiary for stealing money from a man named Overton. Her case was appealed to the supreme court, but during the pendency of the case she was confined in the King county jail. While in the jail said Overton married her. Before the case had been decided by the supreme court she became pregnant, and a certificate to this effect was made by a reputable physician of King county. The sheriff of King county was of opinion that she could not receive the best attention in the county jail. Pardon recommended by the trial judge, prosecuting attorney and county sheriff.

HETTINGER, WASH.—Sentenced from Yakima county, April 24, 1896, for four years for robbery. Pardon granted June 1st, 1897. From an examination of the evidence in this case it appears that a number of men broke into a house occupied by a Chinaman. After Hettinger was arrested and convicted for the robbery, one Wolf confessed that on the night the crime was committed Hettinger was not with the party. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney and some of the jurors in the case

MONHOLLAND, JOSEPH.—Sentenced from Walla Walla county for ten years for the crime of sodomy. Pardon granted June 1st, 1897. Monholland was tried twice for the crime charged, the jury disagreeing in the first trial. From the statement of the prosecuting attorney it appears the evidence of the prosecuting witness was flatly contradicted by a witness for the defense, but the jury finally agreed upon a verdict of guilty. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney, several jurors and numerous citizens of Walla Walla county.

WOOD, DELOS.—Sentenced from Lincoln county, March 27, 1895, for seven years for grand larceny. Pardon granted June 1st, 1897. Wood was a young man of good reputation, the sole support of his aged mother, and the crime was his first offense. In view of this fact the sentence would appear excessive, and the governor was of opinion he had been sufficiently punished. Pardon recommended by the State Board of Pardons, prosecuting attorney, prosecuting witness, and a number of jurors in the case, and also by numerous prominent citizens of Lincoln county.

JOHNSON, JAMES.—Sentenced from Spokane county, September 27, 1892, for ten years for the crime of robbery. Pardon granted July 23, 1897. Johnson was a boy eighteen years old, who fell into bad company, and from the evidence on file it appears that he was an accessory after the fact, not having participated in the robbery at the time it was committed. He served nearly five years. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney, warden of the penitentiary and by numerous reputable citizens.

FOWLER, W. O.—Sentenced from Spokane county, September 26, 1895, for five years for the crime of forgery. Sentence commuted July 29, 1897, to two years. Fowler was an old soldier, who, previous to his conviction, had borne an excellent reputation. He was treasurer of a benevolent order and converted some of its funds to his own use, owing to his straightened circumstances. Commutation recommended by the State Board of Pardons, trial judge, prosecuting attorney and by numerous citizens.

HUTCHISON, C. A.—Sentenced from Pierce county, May 27, 1895, for six years for burglary. Pardon granted October 1, 1897. Hutchison was convicted of stealing \$3.50 from some clothing on a boat lying in the harbor of Tacoma. On account of the prosecuting witness desiring to leave when the vessel sailed the trial was hurried, and Hutchison was not allowed time in which to secure the attendance of one Olsen, who would swear to an alibi. After two years had passed the prosecuting attorney and trial judge unite in stating that the evidence of Olsen, who appears to be an honest man, raises a reasonable doubt of the guilt of the petitioner, and ask for his pardon. Pardon recommended by trial judge, prosecuting attorney and the State Board of Pardons.

DONALDSON, ROBERT—Sentenced from King county, January 30, 1897, for one year for burglary. Pardon granted November 3, 1897. When sentenced Donaldson had been in

jail two months. Pardon was asked after he had served nearly one year, if the time he was in jail before sentenced si included. Donaldson was a young man of a good family and committed the crime for which he was sentenced when under the influence of liquor. It being shown that he could obtain employment outside the state and be enabled to support himself honorably, pardon was granted. Recommended by the State Board of Pardons, trial judge, prosecuting attorney and various officials and citizens of King county.

PETE, JOE.—Sentenced from Whatcom county, December 14, 1895, for four years for grand larceny. Pardon granted November 3, 1897. Joe Pete was an Indian who had a farm in Whatcom county and he had always borne a good reputation previous to his conviction. While intoxicated he took a team of horses and a wagon and drove off with them. It was not believed by many that he intended to steal the team at the time. During his term of imprisonment Joe Pete contracted consumption, and his relatives asked that he be allowed to go home before he died. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney and numerous citizens of Whatcom county.

JOHNSON, JOHN E.—Sentenced from Pierce county, October 30, 1894, for five years for burglary. Sentence commuted to four years' imprisonment November 3, 1897. At the time of his conviction there were a large number of similar crimes being committed and the trial judge was somewhat influenced by this fact in passing sentence on Johnson. As the amount of property stolen was very small and the crime his first offense, commutation of the sentence was granted. Recommended by the State Board of Pardons, trial judge prosecuting attorney and the warden of the state penitentiary.

MCCAIN, F. D.—Sentenced from Pierce county, June 15, 1894, for five years for forgery. Sentence commuted November 3, 1897. McCain was convicted of forging two small warrants of the city of Tacoma. While in the penitentiary he acted as bookkeeper and was of great service to the warden. The warden of the penitentiary recommended sixty days' commutation of his sentence under the provisions of chapter LXXIV, section 2, act of 1897, entitled "Time allowance for good behavior of convicts." Commutation was also recommended by the State Board of Pardons.

NELSON, SAMUEL.—Sentenced from Columbia county March 7, 1895, for seven years for burglary. Pardoned November 8, 1897. Nelson was convicted of stealing a can of lard. This he denied, but was unable to prove his whereabouts at the time of the theft. Before his conviction Nelson was a young man living on a farm with his widowed mother. From testimony offered it would appear that the evidence upon which he was convicted was not sufficient to justify the verdict. The sentence in this case would appear to be somewhat excessive. Pardon recommended by the State Board of Pardons and by a large number of citizens of Columbia county.

NELSON, PAUL E.—Sentenced from King county, November 8, 1894, for ten years for incest. Pardon granted December 20, 1897. Nelson was accused of being the father of a child which was born by his daughter Selma Nelson. His daughter was the only witness against him. After he had been convicted and served three years in the penitentiary this daughter makes an affidavit in which she confesses that her testimony at the trial was false and that she had testified in this way to shield the guilty man. Upon this testimony pardon was asked. Recommended by the State Board of Pardons, trial judge and the prosecuting attorney.

BUCHAN, FREDERICK A.—Sentenced from King county September 4, 1897, for six months for burglary. Pardon granted December 23, 1897. Buchan was one of the party of burglars who robbed Finck's jewelry store in Seattle of \$10,000 of jewelry. In order to secure testimony against the other criminals, the chief of police of Seattle promised Buchan to assist him in securing a pardon, on condition that he testify against his associates. This Buchan did, and through his testimony the other criminals were convicted and the stolen property was recovered. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney, prosecuting witness, and the chief of police of Seattle.

JAMES, H. K.—Sentenced from Whitman county April 19, 1897, for one year for obtaining money under false pretenses. Pardon granted December 23, 1897. The evidence upon which James was convicted shows that he obtained \$2 from a doctor in Colfax upon his representing to the doctor that he had a check drawn against a bank in Idaho, which

he desired to cash. The doctor took the check, which James said he had received from a man in payment of a horse, and advanced James \$2. Upon the check being presented for payment to the Idaho bank, it was not honored, and James was arrested. James was an old man, who had previously borne a good reputation. As he had no money, he was unable to obtain counsel and did not have a trial by jury. Pardon recommended by the State Board of Pardons, trial judge and numerous citizens.

KEECH, ULYSSES W.—Sentenced from Spokane county February 14, 1896, for three years for cattle stealing. Pardon granted February 5, 1898. Keech, after being convicted, was released on bond and while so released he fled from the state into British Columbia, and was never incarcerated. During the trial of his case Keech was identified by several witnesses as the man who drove off the cattle. Later evidence goes to show that Keech was not the real culprit, the witnesses mistaking him for the criminal, who it was thought resembled Keech. The prosecuting attorney, desiring to convict the real offender, desired Keech's testimony and promised him his pardon if he testified. Pardon granted on this showing. Recommended by the State Board of Pardons, trial judge, prosecuting attorney and numerous officials and citizens.

COOMBERS, FRANK—Sentenced from Garfield county February 13, 1894, for seven years for grand larceny. Pardon granted February 18, 1898. Coomers, with another man, was convicted of stealing personal property of the value of about \$45. He had served four years actual time when pardon was asked for. The sentence in this case would appear to be excessive, in view of the nature of the crime. Pardon recommended by the State Board of Pardons, prosecuting attorney, a majority of the jury in the case, and by numerous citizens of Garfield county.

JAMES, THOMAS—Sentenced from Garfield county February 13, 1894, for seven years for grand larceny. Pardon granted February 18, 1898. James, with one Frank Coomers, was convicted of having taken part in a robbery, stolen property being in his possession. The amount of stolen property was very small and it was the first offense charged against James. In view of this fact, the sentence of seven years would appear to be somewhat excessive. Pardon recommended by the State Board of Pardons, prosecuting attorney, a majority of the jury who heard the case, and also by numerous citizens of Garfield county.

EARLE, HARRY M.—Sentenced from Pierce county February 20, 1897, for one year in the county jail for embezzlement. Pardon granted February 18, 1898. Earle was a young man of good reputation, and was the treasurer of a lodge in Tacoma. Being employed only part of the time at his trade, he used some of the lodge money for his personal wants. This shortage he was unable to make good, and he fled but was returned and convicted of embezzlement. His defense was that he intended to make good the amount but was unable, being out of employment. Earle had served all but three days of his sentence when pardoned. Pardon recommended by the State Board of Pardons, prosecutor, and numerous citizens.

MARTIN, BARNEY.—Sentenced from King county, September 18, 1889, for seventeen years for assault to commit murder. Sentence commuted to thirteen years imprisonment February 18, 1898. Martin, while in the King county jail charged with larceny, assaulted the jailor for which he received a severe sentence. For several years this jailor, who was the prosecuting witness, has been employed as turnkey at the penitentiary and has seen Martin daily. He joins in the petition for pardon, saying he believes Martin has been sufficiently punished for his crime. The warden of the Penitentiary certifies that Martin's conduct has been exemplary during his term of imprisonment. Commutation recommended by the State Board of Pardons, prosecuting witness and numerous citizens.

PEBLES, FRANK.—Sentenced from Spokane county, October 7, 1895, for eight years for burglary. Pardoned February 18, 1898. Pebles was convicted of having stolen clothing worth about \$20. He was a boy, away from home, out of employment and this was his first offense. In view of these facts the sentence appears somewhat excessive. Pebles has an aged mother and his assistance was needed on their little farm. During his term of imprisonment his conduct has been perfect, according to the certificate of the warden. Pardon recommended by the trial judge, State Board of Pardons and by numerous officials and citizens of Spokane county.

WILLIAMS, GEORGE T.—Sentenced from King county, April 15, 1894, for six years for receiving stolen property. Pardon granted February 18, 1898. Williams purchased stolen property which, according to testimony produced, he was not aware had been stolen. The price which he paid for the goods was three dollars, they being of little value. Williams came from a good family and had never been guilty of a crime up to the time of this conviction. The sentence in this case would appear to be excessive. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney and numerous officials and citizens.

EICK, CHARLES.—Sentenced from Adams county, October 5, 1896, for five years for burglary. Pardon granted February 28, 1898. Eick was a young man twenty years of age. Being in Spokane, and out of employment, he fell into bad company. He was induced by an elder man to assist him in a burglary. The amount stolen was very small. Eick, being but a boy, was captured, convicted and received a five year sentence. This sentence, under the circumstances, would appear a little excessive. Pardon recommended by the State Board of Pardons, the trial judge, prosecuting attorney and numerous citizens.

YOUNG, GEORGE S.—Sentenced from Columbia county, October 17, 1894, for ten years for cattle stealing. Pardon granted March 4, 1898. Young was convicted of stealing a heifer. The principal witnesses against him were convicts and their testimony is now admitted to be false. Since his conviction these witnesses, who appeared against Young to shield themselves, have been convicted and sentenced for similar crimes. Pardon recommended by the State Board of Pardons, a majority of the jury who heard the case, by one of the prosecuting witnesses and by numerous officials and citizens.

MOORE, IRA.—Sentenced from Spokane county, February 18, 1895, for three years for rape. Pardon granted March 19, 1898. Moore, a young man not yet twenty years old, was convicted of having carnal knowledge of a girl, about sixteen years old. At the time of his conviction it was the opinion that sixteen years was the age of consent, and for this reason no appeal was taken in his case. Since that time, however, the Supreme Court of the State of Washington has decided that the age of consent was twelve years. This decision was handed down after the time for appeal in Moore's case had expired. Moore served considerable time in jail before being sentenced to the penitentiary and when pardon was asked for, had nearly served his whole term. Pardon recommended by State Board of Pardons, the trial judge, prosecuting attorney, and by numerous citizens of Spokane county.

GIFFORD, CHARLES S.—Sentenced from Spokane county, February 8, 1896, for three years for adultery. Pardon granted March 19, 1898. Gifford's wife had not lived with him for five years preceding his arrest, and he had a woman keeping house for him. He was arrested and accused of living in adultery with this housekeeper. This Gifford denied, claiming the woman was nothing but his housekeeper. Gifford, at the time of his arrest, owned and was operating a saw mill in Spokane county, and was considered a respectable citizen in his community. During his incarceration in the State Penitentiary, Gifford offered to make certain changes in the steam heating plant of the Penitentiary, which would improve the service and cause a great reduction in the amount of fuel necessary to run it. He had a system of his own invention, which the warden consented to have him place in the penitentiary. After this system was placed in operation it proved a great success, causing a reduction of something like 400 tons of coal in four months, and improving the service considerably. For doing this work the warden of the penitentiary promised Gifford to endeavor to secure a commutation in his sentence. In a letter to the Governor the warden says: "I consider it would add also much toward bettering the discipline of the prison if he is in this way rewarded for his services." As the system of steam heating was Gifford's own invention, the warden could not have forced him to put it into operation, if he did not desire to. Pardon recommended by the State Board of Pardons, warden of the Penitentiary and other officials.

STEVENS, GEORGE T.—Sentenced from Skagit county, March 1st, 1894, for ten years for grand larceny. Pardon granted March 19, 1898. Stevens was convicted of having stolen some nautical instruments, books, etc., from the cabin of a ship. These goods he claimed to have purchased from two men. Upon trial these two men claimed Stevens was with them when they stole the articles. They were sentenced to one and five years

respectively, while Stevens received a ten year sentence. They were all tried by the same jury, for the same offense. Under these circumstances the sentence Stevens received would appear excessive. When pardon was asked for Stevens had served over four years actual time, which was as much as had been served by either of the other two sentenced with him. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney and various officials and citizens.

CRAEMER, HENRY—Sentenced in King county, September 12, 1894, to be hanged for murder in the first degree. Sentence commuted to life imprisonment at hard labor, March 23, 1898. Craemer was convicted of killing a woman and a little child. The motive was robbery. The evidence in this case was entirely circumstantial, and there was considerable contradictory evidence. The case was appealed and the judgment of the lower court affirmed. The trial judge, in a letter to the Governor, recommending commutation of sentence, says: "There is a possibility, bordering closely upon a probability that the said Henry Craemer is not guilty of the crime of which he now stands convicted." As there were grave doubts of the guilt of Craemer, commutation was granted. Recommended by the trial judge, State Board of Pardons and by numerous officials and citizens.

BARTON, JOHN—Sentenced from King county, January 12, 1898, to six months in the county jail, for assault and battery. Pardon granted March 30, 1898. Barton, a youth of 20, of delicate constitution, who had always been cared for by his elder brother, became involved in a quarrel and struck a man. For this he was arrested and sentenced. During his imprisonment his health was very bad and his brother, fearing he would die, petitioned for his pardon, promising to take him out of the United States when released. Pardon recommended by the State Board of Pardons, trial judge and prosecuting attorney.

PIERCE, ROBERT—Sentenced from Pierce county, December 18, 1897, for six months in the county jail for mayhem. Pardon granted April 22, 1898. Pierce, a hard-working, honest man, got into a fight with one Wm. Green. Green provoked Pierce and got him into a passion. During the fight which ensued Pierce bit a small piece off Green's ear. For this he received a six months' sentence, of which he served over four months. As Green had provoked the quarrel and was responsible in a large extent for the crime, pardon was granted. Recommended by the State Board of Pardons, trial judge, prosecuting attorney, prosecuting witness and by numerous officials and citizens.

PERKINS, OZEO.—Sentenced from Skagit county November 12, 1895, for five years for manslaughter. Pardon granted May 4, 1898. Perkins was convicted, with Edwin Baldwin, his step-father, of killing one Alonzo Wheeler. Wheeler had previously threatened to kill Baldwin and Perkins, who were rival ferrymen. They had quarreled frequently and there was bad blood between them. On the day of the shooting Perkins, with his step-father Baldwin, an old man, went to the wharf where they were met by Wheeler, who provoked a quarrel. It would appear that the shooting was in self-defense, as Wheeler attempted to kill both the men before he was shot. After careful consideration of the testimony, the sentence originally given may be considered excessive. Pardon recommended by the State Board of Pardons, the prosecutor and by numerous reputable citizens of Skagit county.

BALDWIN, EDWIN.—Sentenced from Skagit county November 12, 1895, for ten years for manslaughter. Pardon granted May 4, 1898. Baldwin, with his step-son, was convicted of killing one Alonzo Wheeler. Wheeler had threatened the life of both Baldwin and his step-son. From testimony produced it was shown that Baldwin was afraid of being killed and avoided Wheeler as much as possible. On the day of the shooting Baldwin and his step-son, Perkins, had to go to a wharf to work. Wheeler met them there and provoked a quarrel and it ended in his trying to kill both the men. Baldwin was an old man 56 years of age, a veteran and a pensioner of the war of the rebellion. Wheeler, on the other hand, was a strong, able-bodied young man. After careful consideration of the testimony offered, the sentence in this case would appear to be excessive. Recommended by State Board of Pardons, prosecutor and numerous citizens.

DREW, JOHN.—Sentenced from Spokane county October 3, 1891, for ten years for cattle stealing. Sentence commuted three months June 1st, 1898. Drew had served almost the entire sentence. The warden of the penitentiary recommended a sixty day commutation, under the provisions of chapter LXXIV, act of 1897, section 2, entitled "Time

allowance for good behavior of convicts." Drew, who was employed as one of the engineers at the penitentiary, had broken none of the prison regulations during his incarceration. Recommended by the State Board of Pardons and the warden of the state penitentiary.

FLOID, THOMAS.—Sentenced from Columbia county April 9th, 1897, for three years for grand larceny. Pardon granted June 1st, 1898. Floid, together with one G. C. Hart and Charles Anson, was arrested for stealing meat from a smoke house. Anson turned state's evidence and was released. G. C. Hart and Floid were sentenced to terms in the penitentiary. Now Hart makes an affidavit, in which he confesses that he and Anson had agreed to implicate Floid, who was in reality entirely innocent of the crime charged. Hart, being troubled in his mind over the incarceration of Floid, then made an affidavit confessing that his testimony was false in the trial of Floid. Pardon recommended by the State Board of Pardons.

LIDDLE, ROBERT.—Sentenced in King county April 15, 1898, to pay a fine of \$90 and costs of court, in default of which he was confined in the county jail. Pardon granted June 1st, 1898. Liddle was sentenced by a justice of the peace, for petit larceny. In a letter to the Governor this justice says: "Since passing judgment upon him, I have made further investigation into the case and believe that he is unjustly punished and should not have been found guilty." Upon this showing pardon was granted. Recommended by the trial justice, prosecutor and the State Board of Pardons.

BAKER, F. R.—Sentenced by the Supreme Court of the State of Washington to pay a fine in the sum of three hundred dollars, or to serve 100 days in jail for contempt of court. Defendant was committed to the county jail of Mason county. Sentence commuted to 50 days in jail June 3, 1898. Baker, together with one A. P. Tugwell, published a weekly paper in the city of Tacoma. In an editorial published in their paper, Baker and Tugwell severely criticised the Supreme Court for its decision in a case then pending before the court. For publishing this editorial the Supreme Court found them guilty of contempt and imposed a fine. After Baker had served half the term in jail sentence was commuted. Commutation recommended by the State Board of Pardons and by numerous officials and citizens.

TUGWELL, A. P.—Sentenced by the supreme court of the State of Washington to pay a fine in the sum of three hundred dollars or serve 100 days in jail for contempt of court. Sentence commuted to 50 days in jail, June 3, 1898. Defendant was committed to the county jail of Mason county. Tugwell was associated with F. R. Baker in publishing a weekly paper in Tacoma. For writing and publishing an editorial criticising the supreme court he was fined for contempt of court. After being in jail for half the term imposed the governor was of opinion he had been sufficiently punished and commutation was granted. Recommended by the State Board of Pardons and by numerous officials and citizens.

STEWART, HENRY W.—Sentenced from Whatcom county, May 20, 1897, for five years for assault to commit murder. Pardon granted July 5, 1898. It appears from the testimony in this case that the man whom Stewart shot had seduced and was attempting to elope with Stewart's wife. Stewart met them at the station and in the heat of passion shot the man, but did not inflict a serious wound. Testimony shows Stewart had great provocation, and at the time did not have control of himself. The man shot had been befriended by him, and Stewart had every confidence in him up to the time of the shooting. Stewart had been away from the state on business, and on his return met his wife with the man whom he shot about to take the train and elope. On approaching his wife Stewart was told by this man not to speak to his wife, and he then fired the shot. Stewart had an excellent reputation and was a prosperous young business man at the time. Pardon recommended by the State Board of Pardons, prosecuting attorney and numerous officials and citizens.

DAVIS, JAMES.—Sentenced from King county, September 19, 1889, for 36 years for highway robbery and jail breaking, and assaulting jailor. Pardon granted August 4, 1898, after he had served nearly nine years. Davis was convicted at a time when there were many crimes being committed in Seattle, and the trial judge, in order to make an example, gave Davis severe sentence on three different counts, the last one being eight years for breaking jail and assaulting jailor. Since Davis' incarceration his step father has died and his aged mother is left destitute, being dependent upon Davis for her sup-

port. In view of the apparently excessive sentences, and the further fact that no great sum was lost and no permanent injury inflicted, and that during the past six years Davis' conduct has been exemplary, pardon was granted. Recommended by the State Board of Pardons and the warden of the penitentiary.

DOWNING, C. O.—Sentenced from Spokane county, December 18, 1895, for three years for embezzlement. Sentence commuted to two years and six months August 31, 1898. Downing was the county clerk of Spokane county. At the close of his term there was a shortage in his accounts of some \$73. He was arrested and charged with embezzlement. During his incarceration Downing was of great assistance to the warden of the penitentiary, being employed as accountant and stenographer in the prison office. Warden recommended commutation of sentence under chapter LXXIV, Laws of 1897, section 2, entitled "Time allowance for good behavior of convicts." Commutation also recommended by the State Board of Pardons, trial judge, prosecuting attorney and numerous officials and citizens.

SPINNING, CHARLES S.—Sentenced from Pierce county, October 6, 1897, for one year in the county jail for obtaining money under false pretences. Pardon granted September 1, 1898. Spinning was a young man of good family, engaged in the county auditor's office. He fell into fast company, ran into debt, and in order to secure money made a fictitious assignment of some small Pierce county warrants. For this he was arrested. Being a young man he was sentenced to the county jail instead of to the penitentiary. When pardon was asked for he had served all but a few days of his sentence. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney and numerous citizens.

CASE, ARTHUR.—Sentenced from Spokane county January 27, 1896, for five years for grand larceny. Pardon granted September 2, 1898. Case was a boy eighteen years of age, when he went to Spokane to look for employment. Being without friends or money he fell into bad company. He made the acquaintance of a man who represented himself to be a merchant. This man engaged Case to help him carry some goods, which he stated he had purchased from a peddler. Case helped him carry the goods to a designated place. For this he was arrested, charged with having stolen the goods. The older man was a professional thief and Case, unwittingly, had assisted him in disposing of stolen property. In view of the age and previous good character of the boy, the sentence in this case would appear to be somewhat excessive. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney, and by numerous reputable citizens.

WILSON HENRY.—Sentenced from King county October 8, 1896, for seven years for robbery. Pardon granted November 11, 1898. Wilson, a young man of about nineteen, was arrested for stealing a brass watch worth about two dollars and a half. Being away from home, in Seattle, without friends or money, he was in destitute circumstances and stole the watch in order to obtain money to eat on. For stealing this brass watch he received a seven year's sentence. Previous to the commission of this crime, Wilson had never been guilty of a criminal action. In the opinion of all who have examined this case, the sentence was excessive. At the time pardon was asked for Wilson had served over two years actual time in the state penitentiary. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney, prosecuting witness, Warden of the State Penitentiary, and by numerous officials and prominent citizens of King county.

CARTER, JOSEPH.—Sentenced from King county September 30, 1895, for ten years for manslaughter. Pardon granted November 16, 1898. Carter, who was employed on a steamer, became engaged in a quarrel with the cook, a Chinaman. The Chinaman resented a remark of Carter's regarding the quality of coffee cooked by him and rushed upon Carter with a knife. Carter took the knife away from him and in doing so had three of his fingers cut. The Chinaman then got another knife and went at Carter again. From the testimony produced it appears that Carter had to strike the Chinaman with his knife or be killed. He did this and from the wound inflicted the Chinaman died. Under the circumstances connected with this case it would appear that the sentence imposed was excessive. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney, the jury, and by numerous officials and citizens of King county.

JOHNSON, THOMAS.—Sentenced from Walla Walla county, April 7, 1896, for ten years for robbery. Commutation granted November 24, 1898. Johnson, a young man just off

of his father's farm, landed in Walla Walla and went to look for employment. He fell into company with several young men, became intoxicated and while so committed the robbery. This was his first offense, and the amount of property stolen was quite small. Under the circumstances the sentence may be considered excessive. Sentence commuted to three full years imprisonment. Commutation recommended by the State Board of Pardons, trial judge, and by numerous citizens of Walla Walla, and of Portland, Oregon, where his parents reside.

MOODY, D. C.—Sentenced from Skagit county February 25, 1893, for nineteen years for manslaughter. Pardon granted November 24, 1898. Moody, a young man, being greatly provoked by a larger man, and thinking his life was in danger, after warning his oppressor, he shot the man. From this wound the man died. Moody, when pardoned, had served nearly seven years in the penitentiary. The sentence in this case was clearly excessive. Pardon recommended by the State Board of Pardons, a majority of the jury in the case, and by numerous officials and citizens of Skagit county. It appeared to be the general sentiment of Skagit county that the young man had been sufficiently punished and should be pardoned.

MURPHY, JOHN—Sentenced from King county, during March 1894, for ten years for the crime of robbery. Pardon granted November 24, 1898. Murphy was sentenced with several others for having participated in a robbery. Since his incarceration, one of these other convicts has made an affidavit, on his death bed, that Murphy was not with them at the time of the robbery. The other two convicts who were sentenced for the same crime, also make affidavit that Murphy was innocent. The judge who presided at the trial and sentenced Murphy, writes that from evidence he now has in his possession, he is satisfied Murphy was never guilty and should be immediately pardoned. Pardon recommended by the State Board of Pardons, the trial judge and numerous citizens of King county.

RAFFERTY, J. C.—Sentenced from Pierce county, June 6th, 1890, for fourteen years for the crime of assault with intent to commit rape. Pardon granted November 24, 1898. Rafferty was sentenced at a time when the judge was compelled to give very heavy sentences to criminals convicted, in order to make an example and thus check crime. Rafferty, being convicted at a time when there were many crimes, received a very heavy sentence. He had served nearly nine years actual time when pardoned. The presiding judge and prosecuting attorney seemed agreed that he had received an excessive sentence. Pardon recommended by the State Board of Pardons, trial judge, prosecuting attorney, and numerous citizens. Rafferty, when pardoned, was 44 years of age and in bad health.

MANVILLE, GEORGE W.—Sentenced from Thurston county, October 2, 1893, for fourteen years for the crime of murder in the second degree. Commutation granted December 29, 1898. Manville, an old man, was convicted of shooting a neighbor of his. There had been repeated quarrels between the two men and both were under bonds to keep the peace. On the day the shooting took place Manville heard he would be shot that day and so he armed himself and when both men met the shooting took place for which Manville was sentenced. From the affidavits of the prison physician and warden, Manville was near his end. Sentence commuted to seven years. Recommended by the State Board of Pardons, trial judge, prosecuting attorney, warden of the penitentiary and numerous reputable citizens.

The civil rights of the following named persons were restored after having served their respective terms of imprisonment, upon the recommendation of the warden of the Penitentiary, it being certified that during imprisonment their conduct had been especially good:

<i>Name.</i>	<i>Date of Restoration.</i>	<i>Name.</i>	<i>Date of Restoration.</i>
Albertson, Edward.....	Feb. 14, 1897	Blanchard, Calvin.....	April 4, 1898
Ashenbremmer, G. H.....	Nov. 24, 1897	Blankenship, Elisha.....	April 21, 1898
Ableman, Guy.....	Feb. 23, 1898	Baldwin, Ophman.....	June 4, 1898
Barber, John.....	May 22, 1897	Brooks, W. L.....	Sept. 22, 1898
Bright, S. E.....	May 22, 1897	Comstock, George.....	June 14, 1897
Brodie, Edward.....	Aug. 17, 1897	Cooper, Wm. E.....	May 22, 1897
Barton, John.....	March 22, 1898	Cooper, Wm.....	Jan. 27, 1898

CIVIL RIGHTS RESTORED — *Concluded.*

<i>Name.</i>	<i>Date of Restoration.</i>	<i>Name.</i>	<i>Date of Restoration.</i>
Compton, J. G.....	Dec. 21, 1897	Murphy, W. C.....	April 21, 1897
Cooper, Jasper.....	Jan. 27, 1898	Meyer, Otto.....	July 21, 1898
Collier, J. B.....	Jan. 27, 1898	Merritt, Frank.....	Sept. 22, 1898
Chambers, Terry.....	Feb. 28, 1898	Mysing, John.....	Feb. 27, 1897
Doyle, James.....	Jan. 27, 1898	Nicks, Geo.....	May 24, 1898
Elderkin, A. O.....	Aug. 28, 1897	Potter, John.....	Dec. 21, 1897
Fite, Peter.....	April 21, 1897	Payne, Champ.....	April 21, 1898
Foley, Tom.....	Sept. 4, 1897	Price, Barney.....	Sept. 22, 1898
Fairman, Walter.....	July 21, 1898	Reiff, R. G.....	Oct. 13, 1898
Gencoli, E.....	April 16, 1897	Reed, W. L.....	April 21, 1898
Gibbons, Wm.....	March 22, 1898	Springer, Lee.....	May 22, 1897
Gassow, Henry.....	Dec. 20, 1898	Stahl, A. B.....	Aug. 14, 1897
Harrison, Chas.....	April 16, 1897	Smith, Morton G.....	May 12, 1898
Halbert, C. Q.....	Dec. 20, 1898	Sophia, Joseph.....	Feb. 28, 1898
Holtz, James.....	Oct. 26, 1897	Sansome, Wm.....	Feb. 28, 1898
Inglard, Frank.....	Oct. 2, 1897	Strachan, J. W.....	July 21, 1898
Isensee, Phil.....	Aug. 28, 1898	Schultze, L. W.....	Aug. 23, 1898
Jones, Wm.....	April 21, 1898	Steele, Gib.....	Sept. 22, 1898
Krause, Henry.....	Oct. 21, 1898	Thompson, John.....	April 24, 1897
Long, John.....	Feb. 27, 1897	Wold, Wm.....	May 22, 1897
Loughran, Ja mes.....	April 24, 1897	Ward, Chas.....	Feb. 26, 1898
Lauderbeck, A. W.....	April 21, 1897	Wesley, Chas.....	Sept. 22, 1898
Lyon, Dan.....	April 23, 1898		

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, Jan. 13, 1899.

The Honorable the Senate and House of Representatives of the State of Washington, Olympia, Washington :

GENTLEMEN—I have the honor to present to your honorable body a letter from Hon. John Hay, Secretary of State for the United States, enclosing a communication from Sir Julian Pauncefote, British ambassador to the United States government at Washington, D. C., who, as British minister, presents for settlement a claim of the Provincial Government of British Columbia against Washington Territory (now State of Washington), for expenses incurred in the apprehension and detention of one Thomas Pierre, charged with murder.

In May, 1874, one Thomas Pierre, charged with murder in Washington Territory, was arrested in Kootenay District, B. C., by the Provincial police and held for a time, pending order for extradition.

Regarding this whole matter and the expenses which may have been incurred by the government of British Columbia in the capture and detention of Thomas Pierre, I am not fully informed. The matter is presented to your honorable body, with the request that you investigate fully the claims herewith submitted; and, if found correct, I recommend that the same be paid, holding it dishonorable that the proud name of Washington should in any wise be coupled with a refusal to pay a just and legal indebtedness.

Respectfully submitted.
J. R. ROGERS,
Governor of Washington.

On motion of Senator Keith, the communication was referred to the Committee on Claims and Auditing.

[COPY]

DEPARTMENT OF STATE, WASHINGTON.

December 9, 1898.

His Excellency the Governor of Washington, Olympia, Washington:

SIR—I have the honor to send you herewith a copy of a note of the 5th instant (with enclosures) from Sir Julian Pauncefote, British Ambassador at this capitol, relative to the claim of the Provincial Government of British Columbia against Washington Territory (now State) for expenses incurred in the apprehension and detention in 1874 of one Thomas Pierre, a fugitive from the territory charged with murder.

An examination of the correspondence recorded here between the British Legation and the department, and the Governor of Washington and the department, in 1886, when the claim was brought to the attention of the department by Sir Lionel Sackville West, confirms the statements made in Sir Julian's note. In a letter of the Governor of Washington to this department, dated October 28th, 1886, was enclosed a copy of the report of the committee of the Territorial Legislature. The Governor has recommended the passage of an act making an appropriation for the payment of this claim. The legislative committee to which the matter was referred, after full investigation and examination of witnesses, reported that the claim was a just one and should be paid. They said:

"If we expect in future to merit the trust of the authorities of British Columbia, in so far as to hold criminals escaping from the territory for extradition, we should meet our obligations in that behalf, and while we are satisfied that the charges have been paid by the authorities of British Columbia, they should be reimbursed. We recommend that the claim be paid and that a bill be passed for such purpose."

The bill failed to become a law. In his letter transmitting the above information the acting Governor said:

"Inasmuch as no funds have been placed at the disposal of the executive to meet such claims, it cannot be paid by this office. I have no doubt but that the claim is a just one and should be paid. It is to be hoped that upon the assembling of the legislative assembly the matter will receive proper attention."

The matter seems to have been allowed to rest there.

The treaty of extradition in force between the United States and the British government at the time of the proceedings relative to the extradition of Pierre stipulates that the expenses of the apprehension and delivery of a fugitive from justice shall be borne by the party making the requisition. Where the requisition is made for an offense against the laws of a state or territory, such expenses are to be borne by the state or territory.

The matter is referred to you again, with the earnest request that prompt measures be taken by your state to make provision for the fulfillment of this obligation, which was incurred on the credit of Washington Territory.

I have the honor to be, sir, your obedient servant,

(Signed) JOHN HAY.

[Enclosure: From Sir Jullon Pauncefote, December 5, 1898, with enclosures.]

WASHINGTON, December 5, 1898.

SIR—I have the honor to enclose herewith a memorandum respecting a claim of the Provincial Government of British Columbia against part of Washington Territory (now the State of Washington) for expenses incurred in the apprehension and detention in 1874 of one Thomas Pierre, charged with murder.

Attached to the memorandum is a copy of the account.

The memorandum has been drawn up by Mr. Joseph Pope, Canadian Under Secretary of State, at the instance of the Department of Justice, Ottawa.

For convenience of record, I have called your attention to correspondence in this subject which passes in 1886 between your department and Sir Lionel Sackville West, then British Minister here:

Sir Lionel West to Mr. Bayard, Sept. 30, and Mr. Bayard's reply of Nov. 13, 1886.

In view of the fact that this claim appears to be undisputed, I venture to request you to be good enough to take such steps as may be proper and insure the money being refunded to the British Columbian government.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant.

JULIAN PAUNCEFOTE.

The Hon. John Hay, etc., etc., etc.

WASHINGTON, D. C., November 23, 189—.

ENCLOSURE 1.

MEMORANDUM.

Respecting the claim of the Provincial Government of British Columbia against that of Washington Territory (now the State of Washington) for expenses incurred in the apprehension and detention of one Thomas Pierre, charged with murder.

In May, 1874, Thomas Pierre, charged with murder in Washington Territory, was arrested in Kootenay District, British Columbia, by the Provincial police and held pending a formal order for his extradition. A requisition was made in due course by the Government of British Columbia in the first instance, but later a proper requisition was made on the Governor General. It was subsequently held by the Minister of Justice that the authorities of Washington Territory did not produce such evidence as would warrant the surrender of this fugitive, and the Lieutenant Governor of British Columbia was by him notified of this opinion and authorized to discharge the prisoner, after the Government of Washington Territory has had reasonable time to institute the necessary proceeding in regular form. In the meantime the prisoner was to be detained in custody. The circumstances of the case were duly communicated to the authorities of Washington Territory, and the Governor replied that proceedings would be begun anew for the extradition of the criminal. No further action, however, appears to have been taken, and on the 11th of May, 1875, the Governor of Washington Territory notified the British Columbian authorities that he did not propose to take any further steps to procure the extradition of the prisoner, who was accordingly discharged from custody. In this dispatch of 11th May, 1875, the Provincial authorities of British Columbia were requested by the Secretary of Washington, of Washington, to forward a statement of expenses and costs incurred by the government in the capture and detention of Thomas Pierre, and the latter contained an assurance that the account would be transmitted to the Department of State of Washington for allowance and payment. Pursuant to such request, an account for \$2,700.00, copy of which is attached, was forwarded to the Secretary for Washington Territory on the 20th of June, 1875.

On the 17th November, 1875, the clerk of the Executive for Washington Territory informed the Government of British Columbia that such account had been sent to the central government of Washington, but that that government had declined to pay the same, claiming that it was a charge that should be defrayed by the territorial government, and that the Governor of Washington Territory had caused an act to be passed for the purpose of paying this claim. This act, however, was general in its terms, and was not held to authorize the payment of the account. So matters stood.

In the year 1886 the Government of British Columbia revived the claim, and evidence was given by Mr. Irving, deputy attorney general, before a committee of the Legislature of Washington Territory. The committee reported favorably, emphasizing the expediency of paying the obligation, and a bill was introduced to authorize its payment. This bill was read a first and second time, but thrown out on the third reading.

In October, the same year, the Dominion Government pressed the matter through Her Majesty's Minister at Washington upon the attention of the United States authority, who brought it to the notice of the Government of Washington Territory: reported that inasmuch as no funds were placed at the disposal of the executive to meet such claims, he had no means of paying the amount, adding, however: "I have no doubt the claim is a just one and should be paid." It does not appear that the Legislature of Washington Territory ever took any further action upon this claim, which remains unpaid.

Before leaving for Washington, the Department of Justice asked me to bring this matter to the attention of the British Commissioners, with the object of having it settled, if possible.

JOSEPH POPE.

ENCLOSURE 2.

THE TERRITORY OF WASHINGTON, UNITED STATES OF AMERICA,
TO THE GOVERNMENT OF BRITISH COLUMBIA.

To expenses incurred by the Government of British Columbia in the capture and detention of Thomas Pierre, charged with the commission of the crime of murder in the Territory of Washington, and a fugitive therefrom in British Columbia:

1874.		
May 8 ...	To two officers two days each, at \$5.00 per day.....	\$20 00
	To horse hire.....	10 00
	To horse hire to convey prisoner to goal.....	5 00
Dec. 31 ..	To pay of special officer detailed to take charge of prisoner from the 8th May to 31st December, 1874, 238 days, at \$5.00, at Kootenay.....	1,190 00
	Sheriff's fee for maintenance of prisoner 238 days, as above, at \$1.00 per day	238 00
	Medicine and clothing.....	19 50
July 21...	Pay of special officer from 1st January to 21st July (date of discharge of prisoner), 202 days, at \$5.00 per day	1,010 00
	To sheriff's fee for maintenance of prisoner as above, 202 days, at \$1.00	202 00
	Medicine and supplies	5 50
		<hr/> \$2,700 00

Certified to be correct.

GEO. A. WALKER, Att'y Gen'l B.C.

Victoria, December 15, 1875.

The following communication from the state auditor was received and read :

OLYMPIA, WASH., Jan. 16, 1899.

Thurston Daniels, President of the Senate, Capitol, Olympia :

MY DEAR SIR—I have the honor to transmit, for the use of the members of the Senate and yourself, thirty-five copies biennial report of the Auditor of State.

Very respectfully yours,

NEAL CHEETHAM,
State Auditor.

The report was ordered placed on file.

The secretary read House Concurrent Resolution No. 5, entitled "An act relating to legislation by the Dominion of Canada, at Ottawa, with reference to the exclusion of citizens of the United States from the gold fields of Atlin."

Senator Keith moved that the resolution be adopted.

Senator Wilshire moved to amend, that the resolution be referred to the Committee on Memorials. The amendment was lost.

Senator Wooding moved that the roll be called on the adoption of the resolution.

The motion was carried. The secretary called the roll, which resulted as follows: Yeas 27, nays 4, absent and not voting 3.

Those voting yea were; Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Runner, Schofield, Van Patten, Wooding, Yeend—27.

Those voting nay were: Senators Hall, Preston, Reinhart and Wilshire—4.

Absent and not voting: Senators Davis, Plummer and Warburton — 3.

On motion of Senator T. J. Miller the president administered the oath to the following clerks: Edward Johnson, H. L. Bowmer, H. G. Anderson, Hannah O'Toole, E. C. McReavy and J. P. DeMattos.

INTRODUCTION OF BILLS.

Senate bill No. 34, by Senator T. J. Miller: An act to establish and maintain a fish hatchery on the Nesqually river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator T. J. Miller the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

Senate bill No. 35, by Senator Hill: An act to provide for submitting an amendment to section 1, article 23, of the constitution, relating to the manner of submitting constitutional amendments.

The bill was read the first time; and, on motion of Senator Hill the rules were suspended, the bill was read the second time by title and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 36, by Senator Clapp: An act providing that in counties having a population less than ten thousand, the sheriff shall be *ex-officio*, the assessor of such counties and providing for his compensation.

The bill was read the first time; and, on motion of Senator Clapp, the rules were suspended, the bill was read the second time by title and referred to the Committee on Appropriations.

Senate bill No. 37, by Senator Hammer: An act to prohibit fishing between the North Fork of the Skagit river and Deception Pass.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

Senate bill No. 38, by Senator Mantz: An act compelling steam railroads to fence their rights-of-way, and to protect the owners of stock injured by moving railroad trains, defining the law of negligence with regard to stock injured by railroad trains, and declaring an emergency.

The bill was read the first time; and, on motion of Senator

Mantz, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Railroads and Transportation.

Senate bill No. 39, by Senator Keith: An act amending sections 9 and 12 of an act entitled "An act providing for the survey and establishment of a state road, creating a commission, defining its duties, and making an appropriation therefor, and declaring an emergency," approved March 18, 1897.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 40, by Senator Mantz: An act to provide for the election of road district supervisors.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 41, by Senator Baum: An act to establish and maintain a fish hatchery on the Wenatchee river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 42, by Senator Biggs: An act making appropriations for equipping and improving the grounds and main entrance of the State Normal School at New Whatcom, and for the support, maintenance and development of the State Normal School at Ellensburg, and for the maintenance and improving of the grounds, and repairing the State Normal School at Cheney.

The bill was read the first time; and, on motion of Senator Biggs, the rules were suspended, the bill was read the second time by title, and referred to Committee of the Whole.

Senate bill No. 43, by Senator Keith: An act to provide for the better protection of the public health in the relation to the manufacture and sale of cigarettes, cigarette paper and cigarette wrappers, and providing penalties for the violation of the provisions thereof.

The bill was read the first time; and, on motion of Senator

Keith, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Senate bill No. 44, by Senator Andrews: An act in regard to the dismissal of appeals by the Supreme Court, providing for the amendment of appellate proceedings, and requiring all cases appealed to be decided upon their merits.

The bill was read the first time; and, on motion of Senator Andrews, the rules were suspended, the bill was read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 45, by Senator Land: An act to provide for the better protection of railway switches.

The bill was read the first time; and, on motion of Senator David Miller, the rules were suspended, the bill was read the second time by title and referred to Committee on Railroads and Transportation.

Senate bill No. 46, by Senator Keith: An act to provide for compensation allowed to guardians of the person and estate of idiots, insane and all persons who are incapable of conducting their own affairs.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

On motion of Senator Baum the Senate adjourned at 3:15 P. M. until 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 17, 1899, }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

The journal of Monday was read and approved.

The following messages were received from the House and placed on file:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 17, 1899.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 3, respecting the death of Honorable Horace E. Houghton, and the same is herewith transmitted.

W. F. DILLON, Chief clerk.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 17, 1899.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 4, respecting the death of the Honorable V. A. Pusey, and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 16, 1899.

MR. PRESIDENT:

The House has passed House bill No. 16, entitled "An act to establish the rate of interest on state warrants." The following amendments were adopted: Insert "hereafter issued" after the word warrants, in section 1, line 1; amend title by adding "and declaring an emergency," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

On motion of Senator Hamilton the bill was returned to the House for engrossing.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 17, 1899.

MR. PRESIDENT:

The House has passed House joint resolution No. 8, entitled "An act memorializing congress not to ratify the free importation of coal, lumber and shingles into the United States from the Dominions of Canada, and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

Read first and second time; and, on motion of Senator Keith, was referred to the Committee on Memorials.

Senator Hamilton introduced the following resolution:

WHEREAS, At the last session of the Legislature, there was appropriated the sum of five thousand dollars (\$5,000) for payment of special counsel, and the further sum of three thousand dollars (\$3,000) for the payment of witness fees to aid in the enforcement of House bill No. 417, being an act to regulate railroads and other transportation companies, which appropriation is shown upon page 126 of the Session Laws of 1897, and section 17 of said act; therefore, be it

Resolved, That the State Auditor and the Attorney General of the State of Washington, be forthwith required to furnish to this body an

itemized and detailed statement of any and all expenditures made from said appropriations, giving the names of the parties receiving any part thereof, and the amounts they may have received, and stating specially for what service such payments were made.

On motion of Senator Hamilton, the resolution was referred to the Committee on Railroads and Transportation.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 17, 1899.

MR. PRESIDENT:

The House has passed House Memorial No. 4, entitled "An act relating to the rights of settlers within the granted limits of the N. P. R. R. Co. in Clarke and Cowlitz counties," and the same is herewith transmitted.

By A. C. RUNDLE, Assistant Chief Clerk.

INTRODUCTION AND READING OF BILLS.

House joint resolution No. 8, by Mr. Smith of King county: Memorializing congress not to ratify the free importation of coal, lumber, and shingles into the United States from the Dominion of Canada.

The resolution was read first time; and, on motion of Senator Keith, the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Memorials.

Senate bill No. 47, by Senator Van Patten: An act to amend Art. 7, Sec. 3466 of an act relating to damages by domestic animals, infectious diseases, etc. (Bal. Annotated Codes and Statutes of Washington. Session Laws of 1893.)

The bill was read first time; and, on motion of Senator Van Patten, the rules were suspended, the bill was read the second time by title, and referred to Committee on Agriculture.

Senate bill No. 48, by Senator Hamilton: An act authorizing educational institutions of collegiate grade, incorporated under the laws of this state, under certain conditions, to issue diplomas having the same value as those issued by state normal schools, and defining the duties of the Superintendent of Public Instruction and his appointees thereto.

The bill was read first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

Senate bill No. 49, by Senator Van Patten: An act to amend Art. 2, Sec. 3418 of an act entitled "An act relating to care of

swine unlawfully at large." (Bal. Annotated Codes and Statutes of Washington. First vol. Hill's Code and Sec. 2490.)

The bill was read first time; and, on motion of Senator Van Patten, the rules were suspended, the bill was read the second time by title, and referred to Committee on Agriculture.

Senator Land moved that a committee of three be appointed to arrange for committee meetings.

The motion was lost.

On motion of Senator Hamilton the motion of Senator Keith relating to assistant bill clerk that was laid on the table, was taken from the table.

On motion of Senator Hall, the matter was referred to the Committee on Employes other than Regular.

On motion of Senator Megler the Senate took up the special work set for 2 P. M.

On motion of Senator David Miller, the Senate took up Senate bill No. 250, vetoed by the Governor at the last session.

The bill and veto message were read in full.

The following is the veto message:

From information and belief I consider this claim unjust. The claimant has his remedy in the courts.

The bill is vetoed this 18th day of March, 1897.

J. R. ROGERS, Governor.

COMMUNICATION FROM WARDEN OF PENITENTIARY.

WALLA WALLA, WASH, February 18, 1897.

Hon. H. S. Blandford, City:

DEAR SIR — I am receipt of your favor under this date, asking for information in regard to a voucher issued by this Board to Mr. G. W. Babcock, on October 17, 1893, for the sum of \$1745.00 which still remains unpaid. The facts in the case are as follows: During the legislative session of 1893, \$35,000 was appropriated, for the purpose of constructing an addition cell wing at the State Penitentiary. In pursuance to this appropriation, the board of directors employed Mr. G. W. Babcock to furnish, plans, specifications, etc., for the construction of this building, after which the board advertised for bids, as per plans and specifications on file. On May 12, 1893, bids were opened and the contract was awarded to The Pauley, Jail and Building Company, they being the best and lowest bidders, for the sum of \$34,900. During the construction of this wing Mr. Babcock acted as superintendent. Auditor Grimes declined to issue a warrant to Mr. Babcock, claiming that there was no available fund for his claim.

Yours respectfully,

C. E. NYE,
Director of the State Penitentiary.

The roll was called on the pasage of the bill which resulted in the following vote: Yeas 32, nays 1, absent or not voting 1.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, Yeend — 32.

Senator Rienhart voted no. — 1.

Absent or not voting Senator Hammer — 1.

The bill was declared passed over the Governor's veto.

The Senate took up Senate vetod bill 194. The bill and message were read in full. The message is as follows:

I cannot approve this bill. I regard it as clearly unconstitutional in that it appears to take away the right of certain parties under the law without remedy. Bill 224, which has been signed, gives improvers of tide lands all the privileges asked for in this bill, the same being carefully guarded, and prevents infringement of rights now held by upland owners. The bill is vetoed.

J. R. ROGERS, Governor.

The roll was called on the passage of the bill, which resulted as follows: Yeas none, nays 32, absent or not voting 2.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, Wooding, Yeend — 32.

Those absent or not voting were: Senators McReavy and Warburton — 2.

The Senate took up vetoed Senate bill No. 273.

The bill and message were read in full. The following is the veto message:

The appropriation of \$25,500 for the Cheney Normal School, \$17,500 for maintenance of Whatcom Normal School, and \$20,000 for equipment and improving grounds of the said Whatcom school are hereby objected to and disapproved. The reason for such disapproval being that such appropriations are opposed to a just public policy at the present time.

With these exceptions, the bill is hereby approved.

Approved March 15th, 1897.

J. R. ROGERS, Governor.

The roll was called on the adoption of that portion of the bill relating to the New Whatcom Normal School, numbered line 173. The vote was as follows: Yeas 0, nays 33, absent or not voting 1.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 33.

Yeas: None.

Absent or not voting: Senator Warburton.

The roll was called on the adoption of that portion of the bill numbered line 205, and was declared lost by the following vote: Yeas 0, nays 33, absent or not voting 1.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 33.

Yeas: None.

Absent or not voting: Senator David Miller.

Senator Cole moved that when the Senate adjourn it be until 10 o'clock to-morrow.

The motion was carried.

Senator Keith moved that we now proceed to vote for United States Senator.

The motion was amended by Senator Hamilton, that the secretary call the roll on nominations. The amendment was carried.

Senator Andrews nominated for United States Senator, Thomas J. Humes, of Seattle.

Senator Cole nominated James Hamilton Lewis, of Seattle.

Senator Crow nominated John L. Wilson, of Spokane.

Senator Warburton nominated Addison G. Foster, of Tacoma.

The secretary called the roll which was as follows:

For Addison G. Foster: Senators Baker, Clapp, Hamilton, Hammer, LeCrone, Warburton — 6.

For Thomas J. Humes: Senators Andrews, Hemrich, Preston, Wilshire, Wooding — 5.

For John L. Wilson: Senators Crow, Hall, Megler, Schofield — 4.

For James H. Lewis: Senators Baum, Biggs, Carper, Cole,

Davis, High, Hill, Keith, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Yeend — 19.

The Committee on Senate Employes other than Regular reported as follows :

REPORT OF COMMITTEE ON SENATE EMPLOYES OTHER THAN REGULAR.

SENATE CHAMBER,

OLYMPIA, WASH., January 17th, 1899.

MR. PRESIDENT :

We, your Committee on Senate Employes other than Regular, recommend that the position of assistant bill clerk be established and that B. F. Day be elected assistant bill clerk.

C. A. MANTZ, Chairman.

Report concurred in by W. H. Plummer, Paul Land, and Oliver Hall.

The report was placed on file.

On motion of Senator Plummer, the Senate adjourned at 12:30 P. M. until tomorrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 18, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Hammer, who was excused.

Senator Yeend asked to be excused on account of sickness.

The Senator was excused.

The journal of Tuesday was read and approved.

Senator Mantz asked leave to change places with Senator Cole, which was granted, Senator Cole to take the place of Senator Mantz on the Committee on Enrolled Bills and Senator Mantz to take the place of Senator Cole on the Committee on Engrossed Bills.

On motion of Senator Plummer, the report of the Committee on Employees other than Regular was adopted.

The Committee on Judiciary presented the following resolution:

Resolved, That the Judiciary Committee of the Senate be and it is hereby empowered to issue subpoenas and send for persons and papers in all matters pertaining to the contest case of Gray vs. Mantz, and it is further empowered to appoint such sub-committees as it shall deem proper, with like powers to send for persons and papers, and to do and perform all things deemed by it necessary in conducting said case, to the end that the law and facts may be properly presented to the Senate.

On motion of Senator Plummer the resolution was adopted.

MEMORIAL.

To the Honorable Legislative Assembly of the State of Washington :

Your memorialists, citizens and voters of the State of Washington and county of Klickitat hereby represent :

That there are three or four hundred prisoners incarcerated in the Penitentiary of the State of Washington ; that while they are well cared for as to physical necessities, no provision is made for their moral and intellectual needs, such as a well seated hall would afford.

We consider this wrong to these unfortunate, even guilty ones, who are under the care of the state in prison, and hence a reproach to the name of our beloved and honored State of Washington. We, therefore, your memorialists, respectfully and earnestly request your honorable body to provide in connection with the penitentiary of the state a good and well seated assembly hall sufficiently large to contain the prisoners, where lectures and addresses may be delivered and intellectual and moral instruction imparted by philanthropic people.

And your memorialists will ever pray.

Signed by N. Evans and seventy-five others.

On motion of Senator Baker the memorial was referred to the Committee on Memorials.

SENATE CHAMBER,

OLYMPIA, WASH., January 17, 1899.

MR. PRESIDENT:

Your committee on State Penal and Reformatory Institutions having had under consideration Senate bill No. 24, being "An act making appropriation from the revolving fund of the State Penitentiary to the maintenance fund of the State Penitentiary, and declaring an emergency," do report the same back to the Senate with a recommendation that it do pass.

JOHN I. YEEND,
H. D. CROW,
PAUL LAND,
Committee.

On motion of Senator David Miller the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 17, 1899.

MR. PRESIDENT:

We, your committee on mileage and salaries recommend that the following mileage be allowed the members of the special committee appointed to attend the funeral of Hon. A. A. Denny, to-wit:

L. B. Andrews.....147 miles, \$14 70

Oliver Hall.....147 miles, 14 70

C. F. Clapp.....147 miles, 14 70

And we recommend that the president and secretary of the Senate issue to the members named certificates of the amounts due them for mileage in accordance with this report.

Respectfully submitted,

DAVID MILLER, Chairman.

Report concurred in by

JOHN WOODING.

W. H. PLUMMER.

On motion of Senator David Miller the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 17, 1899.

To the President and Members of the Senate of the State of Washington:

Your committee on State Penal and Reformatory Institutions having had under consideration House bill No. 78, being "An act making appropriations for deficiencies in appropriations for transportation of convicts, transportation of juvenile offenders and traveling expenses of superior judges for the fiscal period beginning April 1, 1897 and ending March 31, 1899 and declaring an emergency," do report the same back to the Senate with recommendation that it do pass.

JOHN I. YEEND,

H. D. CROW,

PAUL LAND,

Committee.

On motion of Senator Land the report was adopted.

The following communication was received and placed on file :

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, January 17, 1899.

The Honorable President of the Senate, Olympia, Wash:

SIR — By direction of Governor Rogers, I herewith transmit for the use of the Senate, forty copies of the following printed reports: State Board of Audit and Control, Board of State Land Commissioners, State Treasurer, State Librarian, Superintendent of Public Instruction, Supreme Court of the State of Washington, State Grain Inspector, Board of Regents of the University of Washington and Board of Regents of the State Agricultural College.

Yours respectfully,

J. H. PELLETIER,

Governor's Private Secretary.

REPORT OF COMMITTEE ON CLAIMS AND AUDITING.

OLYMPIA, WASH., January 17, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the claims of J. McCarrogher, Bates Brothers Furniture Co., C. E. Weatherby, Olympia Water Works, James Doherty, F. W. Crombie, I. Harris & Sons, O. I. Wood and M. M. Monohan, for labor, material and supplies, have had the same under consideration, and we respectfully report the same back to the Senate with the following recommendations:

That the bill of I. Harris & Sons, \$16, be allowed in full.....	\$16 00
That the bill of M. M. Monohan, be allowed at.....	12 00
That the bill of O. I. Wood be allowed at.....	12 00
That the bill of J. McCarrogher be allowed at.....	84 00
That the bill of C. E. Weatherby be allowed at.....	88 00
That the bill of Olympia Water works be allowed at.....	10 00
That the bill of F. W. Crombie be allowed at.....	16 85
That the bill of W. A. Van Epps be allowed at.....	102 00

Total..... \$235 85

And we recommend that a warrant be drawn in favor of the Secretary of State to the amount of these claims, to the end that they may be paid,

Respectfully submitted,

E. C. KEITH, Chairman.

We concur in this report:

ANDREW HEMRICH.

J. A. DAVIS.

On motion of Senator Wooding the report was adopted.

The following communication from the Governor was received and placed on file:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 17, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you the Governor has this day approved Senate bill No. 1, An act appropriating the sum of fifty thousand dollars, or so much thereof as may be necessary, for expenses of the sixth legislature.

Yours respectfully,

J. H. PELLETIER,

Governor's Private Secretary.

Senator Davis offered the following resolution:

Resolved, That this Senate employ an assistant engrossing clerk, who shall act as a committee clerk when not otherwise engaged.

On motion of Senator Hall the resolution was referred to the committee on employes other than regular.

INTRODUCTION OF BILLS.

Senate bill No. 50, by Senator T. J. Miller: An act to amend section 30 of an act entitled "An act to provide for the selec-

tion, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United states; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," being Chapter 89, Session Laws of 1897.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 51, by Senator Baum: An act to establish and maintain a fish hatchery on the Methow river or one of its tributaries, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 52, by Senator LeCrone: An act authorizing and empowering cities of the first, second and third classes to regulate and license the riding of bicycles, tricycles and other like vehicles, and to construct, maintain and regulate the use of bicycle paths and roadways and declaring an emergency.

The bill was read the first time and on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title and referred to the Committee on Municipal Corporations.

Senate bill No. 53 by Senator LeCrone: An act conferring power on cities of the first class to sprinkle streets, avenues, alleys, parks and other public grounds and charging the cost and expense thereof upon the property benefitted thereby.

The bill was read the first time, and on motion of Senator LeCrone, the rules were suspended the bill was read the second time by title and referred to the Committee on Municipal Corporations.

Senate bill No. 54, by Senator McReavy: An act making an appropriation to continue the operation of the state salmon hatcheries, and declaring an emergency.

The bill was read the first time and on motion of Senator McReavy the rules were suspended, the bill was read the second time by title and referred to the Committee on Fisheries.

Senate bill No. 55, by Senator Wooding: An act for the protection of hotels, boarding houses, lodging houses, etc.

The bill was read the first time and on motion of Senator Wooding the rules were suspended, the bill was read the second time by title and referred to the Committee on Municipal Corporations.

Senate bill No. 56, by Senator Wilshire: An act to amend an act authorizing cities, towns and counties to purchase, construct and maintain ferries, approved March 20, 1895.

The bill was read the first time and on motion of Senator Wilshire the rules were suspended the bill was read the second time by title and referred to the Committee on Municipal Corporations.

Senate bill No. 57, by Senator Preston: An act to amend section 97 of an act known and cited as "Code of Public Instruction of the State of Washington," approved March 19th, 1897, and permitting and authorizing the board of directors of school districts to expend for permanent improvements each year 25 per cent. of the yearly income of the district, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Senate bill No. 58, by Senator Preston: An act to amend section 1 of an act entitled "An act to provide for the registration of voters in all school elections in school districts having a population of 10,000 or more inhabitants, and regulating elections in such districts," approved March 4, 1897.

The bill was read first the time; and, on motion of Senator Preston, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Elections and Privileges.

Senate bill No. 59, by Senator Preston: An act to amend sections 4 and 15 of an act entitled "An act to provide for the registration of voters in all school elections in school districts having a population of 10,000 or more inhabitants, and regulating elections in such districts."

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Elections and Privileges.

Senate bill No. 60, by Senator Preston: An act to provide for the adoption and use of schools text books in all school districts including or included within cities and towns maintaining high schools and supplying free to their pupils text books and supplies.

Bill was read first time; and, on motion of Senator Preston, the rules were suspended, the bill was read the second time by title, and referred to Committee on Education.

Senate bill No. 61, by Senator Crow: An act relating to sales of property under execution, decrees and orders of sale, and the confirmation of sheriff's sales, and redemption therefrom, and repealing an act passed by the Legislature of the State of Washington, March 2, 1897, entitled: "An act relating to the sale of property under execution and decrees, and the confirmations of sheriff's sales, and repealing sections 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the redemption of real estate sold 'on decree of foreclosure and on execution.' "

Bill was read first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to Committee on Judiciary.

House memorial No. 4 was read the first time; and, on motion of Senator High the memorial was read the second time by title, and referred to the Committee on Memorials.

On motion of Senator Plummer the Senate went into Committee of the Whole for the consideration of Senate bills Nos. 2 and 12.

The bills were considered in the committee with Senator Plummer in the chair and reported back that the bills be referred to Committee on Appropriations.

The report was adopted.

On motion of Senator Plummer the Senate took a recess at 11:20 A. M. until 11:55 A. M.

President Daniels called the Senate to order at 11:55 A. M.

At 12 o'clock M., Senator Keith moved that the Senate do now retire to the House to ballot for United States senator.

On motion of Senator Megler the sergeant-at-arms was instructed to notify the House that the Senate is now ready to meet them in joint session.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock M.

The secretary called the roll; all senators present except Senators Yeend and Hammer, who were excused.

The clerk of the House called the roll of the House, all members being present except Barlow, Olsen and Boyce.

The secretary of the Senate read the minutes of yesterday relating to the vote of the Senate for United States senator.

The reading clerk of the House read the nominations and vote of the House of yesterday for United States senator.

FIRST JOINT BALLOT.

The reading clerk called the roll on the first joint vote for senator, which resulted as follows:

John B. Allen received one vote

Addison G. Foster received twenty-four votes.

Thos. J. Humes received twenty-two votes.

James H. Lewis received twenty-six votes.

John L. Wilson received twenty-six votes.

Total number of votes cast 106.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Shellar, Stewart, Warburton, and Wickersham.

Those voting for Thos. J. Humes were: Allen Wilford, Andrews, Beals, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James H. Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J.,

Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E. Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stocking, Stockwell, and Witter.

Mr. Myres voted for John B. Allen.

Absent or not voting: Olsen, Yeend, Hammer, Boyce, and Barlow.

On motion of Senator Hamilton, the joint session dissolved at 12:25 P. M.

The president called the Senate to order at 12:30 P. M.

On motion of Senator Baker, the Senate adjourned at 12:30 P. M., until 10 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

ELEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 19, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M. pursuant to adjournment.

The secretary called the roll all members being present except Senators Clapp, Hammer, and Yeend, who were excused.

The journal of yesterday was read and approved.

Senator Davis introduced the following resolution:

Resolved, That the regular employes and committee clerks of the Senate shall report to the secretary at each roll call and shall remain in the capitol building while the Senate is in session unless excused by the secretary.

On motion of Senator Hall the resolution was referred to the president to formulate rules governing employes.

Concurrent resolution No. 5, relating to the providing of chairs was passed, and on motion of Senator Cole, was immediately transmitted to the House.

Senator Plummer moved that a committee of three be appointed to investigate the matter of printing bills. An amendment to the motion by Senator Preston, "That the bills be printed in the order in which they are introduced," was carried.

On motion of Senator LeCrone 500 copies of Senate bills numbered 26 and 61 were ordered printed.

PETITION TO THE LEGISLATURE.

We, the undersigned residents of the State of Washington, would respectfully represent that no provision is made by the law in this state for the intellectual and moral advancement of the inmates of the penal institutions of the state. Believing that the best interests of society demands suitable legislation along that line, we petition your honorable body to enact such laws as will provide for this intellectual and moral training of the inmates of the Penitentiary of the State of Washington. And we will ever pray.

Signed by Chas. Carter, and 3,000 others.

On motion of Senator T. J. Miller the petition was referred to the Committee on Public Morals.

President Daniels announced the appointment of Senators Cole, David Miller, and Preston as a committee to investigate the printing of bills.

The following bills were introduced and read the first and second time, and referred to committees, as follows:

INTRODUCTION AND READING OF BILLS.

Senate bill No. 62, by Senator Baker: An act making an appropriation for improving the grounds and maintenance of the State Fair at North Yakima.

Read first and second time by title January 19th, 1899; and, upon motion of Senator Baker, was referred to the Committee on Appropriations.

Senate bill No. 63, by Senator Baker: An act to establish and maintain a fish hatchery on the Klickitat river or one of its tributaries, and appropriating funds therefor.

Read first and second time by title January 19th, 1899; and, upon motion of Senator Baker, referred to the Committee on Fisheries.

Senate bill No. 64, by Senator Hill: An act to provide for sub-

mitting an amendment to section 12, article 3 of the Constitution, relating to and defining the respective powers and duties of the Governor and of the Legislature in regard to the enactment of laws.

Read first and second time by title January 19th, 1899; and, upon motion of Senator Hill, referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 65, by Senator Augustus High: An act permitting investment of surplus county funds, and declaring an emergency.

Read second time by title January 19th, 1899; and, upon motion of Senator High, referred to Committee on Judiciary.

Senate bill No. 66, by Senator David Miller: An act to amend an act entitled "An act to amend an act accepting the terms of the act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency, approved March 22d, 1895, and providing further for the carrying into effect said grant," approved March 19th, 1897, and to provide further for carrying into effect said act of Congress, and to provide for the issuance of bonds and the appropriation of money for the carrying into effect of this act, and declaring an emergency.

Read second time January 19th, 1899; and, upon motion of Senator David Miller, referred to Committee on Irrigation and Arid Lands.

Senate bill No. 67, by Senator Davis: An act amending section 69 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency, approved March 16th, 1897, being chapter 89, Session Laws of 1897.

Read second time January 19th, 1899; and, upon motion of

Senator Davis, referred to the Committee on Granted, School and Tide Lands.

Senate bill No. 68, by Senator Wilshire: An act relating to costs in civil actions in the Superior Court.

Read second time January 19th, 1899; and, upon motion of Senator Wilshire, referred to the Committee on Judiciary.

Senate bill No. 69, by Senator T. J. Miller: An act establishing the fiscal agency of the State of Washington in the City of New York.

Read second time January 19th, 1899; and, upon motion of Senator T. J. Miller, referred to Committee on Judiciary.

Senator Preston offered the following resolution:

Be it Resolved, That the president of the Senate be, and he is hereby authorized, to employ a competent person to perform under the president's direction the following duties:

First. He shall prepare and deliver to each senator, in convenient form, typewritten, to be pasted upon all bills which shall be introduced in or come before the Senate, annotations of each bill, citing 1st, all acts heretofore enacted by the territorial or state Legislature bearing upon the subject of the bill, giving volume and page of the act, with cross reference to Ballinger's Code; 2d, the constitutional provisions germane to the subject; 3d, any and all other bills pending in either house of the Legislature bearing upon the subject matter of the bill, and 4th, Legislative precedents from other states so far as practicable.

Second. He shall prepare and deliver to each senator once each week indexes to date of all Senate bills, with reference to number and title, and another with reference to subject matter. In the subject index there shall be cross reference to House bills past or pending, and to other bills pending in the Senate relating to the same subject.

And be it further Resolved, That the matter of compensation of such employe shall be the subject of recommendation by the Committee on Senate Employes other than Regular and be hereafter fixed by the Senate upon report of the committee.

On motion of Senator Preston the resolution was referred to the Committee on Senate Employes other than Regular.

The following resolution was offered by Senator Land:

TO AMEND SENATE RULE No. 30.

WHEREAS, The printing office is behind in the printing of bills; therefore, be it

Resolved, That no bills introduced "by request," shall be printed until after the committee they are referred to act upon the same.

Senator Land moved the adoption of the resolution. The motion was declared lost.

Jane Reis, clerk of group 14, was sworn in by the president. The president called Senator High to the chair.

REPORT OF COMMITTEE ON MEMORIALS

To the President of the Senate:

Your Committee on Memorials, to whom was referred "House Joint Memorial No. 4, relating to the rights of settlers within the granted limits of the Northern Pacific Railroad Company in Clarke and Cowlitz counties," beg leave to report that they have had the same under consideration and report the same back to the Senate with the recommendation that it do pass.

L. B. ANDREWS, Chairman.

On motion of Senator Plummer, the memorial was placed on its final passage.

The roll was called, which resulted as follows: Yeas 27, absent or not voting 7.

Those voting yea were: Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller, T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding — 27.

REPORTS OF COMMITTEE ON SENATE EMPLOYEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 18, 1899.

MR. PRESIDENT:

We, your Committee on Senate Employees other than Regular, to which was referred the matter of the appointment of an assistant engrossing clerk, and having considered the same, we recommend that an assistant engrossing clerk be appointed, to be sworn in upon the motion of the chairman of the Committee on Engrossed Bills; and we further recommend that Miss Porter be appointed to this position.

Respectfully submitted.

C. A. MANTZ, Chairman.

Report concurred in by Senators Land, Plummer, Hall, and Baker.

On motion of Senator Mantz, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 18, 1899.

MR. PRESIDENT:

We, your Committee on Senate Employees other than Regular, to which was referred the resolution of Senator Preston, relating to the employment of a competent person to annotate pending bills, having considered the same, recommend that the resolution be adopted, and that the compensation of such employe be fixed at five (\$5) per day.

Respectfully submitted.

C. A. MANTZ, Chairman.

Report concurred in by Senators Hall, Land, Plummer, and Baker.

On motion of Senator Mantz, the report was adopted.

The president appointed Frank Pierce, in accordance with the resolution of Senator Preston, and administered the oath of office to him.

Senate bill No. 42, by Senator Biggs, was called up as a special order, and on motion of Senator Biggs, was referred to the Committee on Appropriations.

On motion of Senator Plummer, the Senate took a recess at 11:25 A. M., until 11:55 A. M.

President Daniels called the Senate to order at 11:55 A. M.

Senator Keith moved that the sergeant-at-arms procure two copies of the Session Laws of 1897, to take the place of two copies which are missing.

The motion was amended by Senator Hamilton, "that the sergeant-at-arms make an effort to find the missing copies."

The amendment was carried.

The sergeant-at-arms was instructed to notify the House that the Senate is now ready to meet them in joint session.

On motion of Senator Davis, the Senate retired at 12 o'clock, noon, to the House to meet in joint session.

President Daniels called the joint session to order at 12:05 P. M.

The secretary of the Senate called the roll of the Senate; all members being present except Senator Yeend, who was excused.

The reading clerk of the House called the roll of the House; all members being present except Boyce and Olsen.

The secretary of the Senate read the minutes of yesterday relating to the joint session, which were approved.

The reading clerk of the House called the roll for the second joint ballot for United States senator, which resulted as follows:

SECOND JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-six votes.

John L. Wilson received twenty-seven votes.

John B. Allen received one vote.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt,

McLean, Megler, Minard, Mount, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stocking, Stockwell, and Witter.

Those voting for Thomas J. Humes were: Allen Wilford, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Daniels, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Warburton, and Wickersham.

Those voting for Levi Ankeny were: Baldwin, Copeland, Field, Gose, Jerard, Sims, and Totten.

Mr. Myers voted for John B. Allen.

Those absent or not voting were: Boyce, Olson, and Yeend.

No candidate having received a majority of the votes, the president declared there was no election, and on motion of Mr. Curtiss the reading clerk called the roll on the third joint ballot, which resulted as follows:

THIRD JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-six votes.

John L. Wilson received twenty-seven votes.

John B. Allen received one vote.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stocking, Stockwell, and Witter.

Those voting for Thomas J. Humes were: Allen Wilford, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Daniels, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Warburton, Wickersham.

Those voting for Levi Ankeny were: Baldwin, Copeland, Field, Gose, Jerard, Sims, Totten.

Mr. Myers voted for John B. Allen.

Those absent or not voting were: Boyce, Olson, Yeend.

No candidate having received a majority of all the votes, the President declared there was no election.

Mr. McDonald moved that the joint session do now dissolve.

The clerk called the roll on the dissolution of the joint session. The vote was as follows: Yeas 43, nays 65, absent or not voting 4.

Those voting yea were: Allen Wilfred, Andrews, Baum, Biggs, Bishop, Bisson, Carpentar, Carper, Clark, Cole, Conway, Copeland, Davis, Eames, Field, Gerry, Gleason, Gose, Hemrich, High, Hill, Jerard, Keith, LaFollette, Land, McDonald, McReavy, Miller David, Minard, Moore, Meyers, Parrish, Patterson, Paul, Pendergast, Plummer, Preston, Runner, Van Patten, Welty, White, Wilshire, and Mr. Speaker — 44.

Those voting nay were: Allen Hiram E., Baker, Baldwin, Barlow, Beals, Bedford, Bellows, Brown, Callvert, Chrisman, Clapp, Colwell, Corey, Crow, Curtiss, Daniels, Dorsey, Dickson, Englehart, Falknor, Frye, Gunderson, Hall, Hamilton, Hammer, Harrison, Heilig, Kingsbury, Lambert, Langfitt, LeCrone, Mantz, Maxwell, McCoy, McLean, Megler, Miller E. C., Miller T. J., Mount, Mutty, Palmer, Parker, Pratt, Reinhart, Rosenhaupt, Schofield, Scott, Sexton, Sharp, Sheller, Sims, Sinclair, Smith, Somerindyke, Stewart, Stocking, Stockwell, Thacker, Totten, Warburton, Wickersham, Wilson, Witter, and Wooding — 64.

Absent or not voting: Boyce, Johnston, Olson, and Yeend — 4.

The president declared the motion lost.

The clerk called the roll on the fourth joint ballot which resulted as follows:

FOURTH JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-six votes.

John L. Wilson received twenty-seven votes.

John B. Allen received one vote.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stocking, Stockwell, and Witter.

Those voting for Thomas J. Humes were: Allen Wilford, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Daniels, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Warburton, and Wickersham.

Those voting for Ankeny were: Baldwin, Copeland, Field, Gose, Jerard, Sims, and Totten.

Mr. Myers voted for John B. Allen.

Those absent or not voting were: Boyce, Olson, and Yeend.

No candidate having received a majority of the votes, the president declared there was no election.

On motion of Senator David Miller, the joint session dissolved at 12:50 P. M.

President Daniels called the Senate to order at 12:55 P. M.

On motion of Senator Hamilton the Senate adjourned at 12:55 P. M., until 10 o'clock A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWELFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 20, 1899, }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators McReavy and Yeend who were excused on account of sickness.

The journal of yesterday was read and approved.

The following messages were received from the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

The House has passed House bill No. 114, entitled "An act for the relief of Capt. Percy G. Maltbie, and declaring an emergency," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

The House has passed House bill No. 154, entitled "An act changing the name of Gilman, King county, Washington, to Issaquah," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 10, entitled "An act relating to the death of Hon. Jno. W. Feighan," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

The House has passed vetoed Senate bill No. 250, entitled "An act for the relief of Geo. W. Babcock," over the veto of the Governor, and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT :

The House has passed House concurrent resolution No. 9, entitled "An act authorizing the appointment of a joint committee of the States of Oregon and Washington to confer together and recommend to their respective states identical legislation regarding the fishing interests of the Columbia river," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

The House has passed House bill No. 16, entitled "An act to establish the rate of interest on state warrants, and declaring an emergency," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

The secretary read House concurrent resolution No. 9.

Senator Megler moved the following amendment to the resolution:

Line 7, strike "in the city of Olympia," and insert "in any city in the State of Washington, to be agreed on by the joint committees."

REPORT OF STANDING COMMITTEES.

To the President and Members of the Senate :

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 3, entitled "An act appropriating the sum of twelve thousand five hundred dollars out of the capitol building fund for the relief of Moffatt Bros., beg leave to report as follows :

By an investigation of the proceedings of the Capitol Commission and other data which we were able to obtain, we found the following facts: Moffatt Bros. entered into a contract with the Capitol Commission for the construction of the capitol foundation, at a cost of \$47,400.00. Among the terms of said contract it was provided that no changes should be made in the plans and no extra materials should be furnished until first ordered by the Capitol Commission; that at the time the extra labor and materials for which claim is now made was furnished and performed it was impossible to assemble the Capitol Commission and formally authorize the same, and necessity for immediate changes being necessary, in the opinion of the architect and superintendent, the contractors, Moffatt Bros., made changes and furnished additional materials necessary and performed additional labor to the extent of \$12,500, as per the following items :

2,000 additional barrels of cement.....	\$5,800 00
Changes in mode of laying brick.....	1,800 00
Extra inside stonework.....	1,750 00
Grouting extra stonework.....	500 00

Changes made in quality of brick.....	\$700 00
Changes in quality of sand, in requiring same to be screened.....	250 00
Constructing sheds covering the entire building	1,750 00
Total.....	\$12,500 00

There seems to be no controversy over the items of the amount charged therefor, and the report of the Capitol Commission intimates that the same might have been allowed and paid if the same was permissible under the stringent terms of the contract, but, owing to the fact that the contract provided that these changes must be authorized by the Capitol Commission previous to being furnished, the Commission was without power in the premises.

This claim was presented at the last session of the Legislature, reported favorable by the Committee on Claims and Auditing of the last Senate; referred to a special committee, who made a thorough investigation and reported favorably; passed the Senate; was transmitted to the House, and reported favorably by the Auditing Committee of the House, and, upon the matter being presented to the House, although recommended for passage, was laid on the table temporarily, and, owing to the rush of business the last days of the session, was never taken up again.

We beg to report that we believe this is a just claim against the state, and a claim in which the claimants have no redress in the courts.

E. C. KEITH, Chairman.

S. WARBURTON.

W. H. PLUMMER.

J. A. DAVIS.

ANDREW HEMRICH.

SENATE CHAMBER.

OLYMPIA, WASH., January 19, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 2, entitled "An act making an appropriation for the office of Commissioner of Public Lands," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

We concur in this report:

AUGUSTUS HIGH, Chairman.

C. F. CLAPP.

ED. S. HAMILTON.

D. E. BIGGS.

DANIEL PAUL.

W. E. RUNNER.

SENATE CHAMBER.

OLYMPIA, WASH., January 19, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill, No. 12, entitled "An act appropriating money for postage and incidentals and for clerical assistance in the office of the Secretary of

State," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

We concur in this report:

AUGUSTUS HIGH, Chairman.

C. F. CLAPP.

ED. S. HAMILTON.

D. E. BIGGS.

DANIEL PAUL.

W. E. RUNNER.

SENATE CHAMBER,

OLYMPIA, WASH., January 19, 1899.

MR. PRESIDENT:

We, your committee on Appropriations to whom was referred Senate bill No. 42, entitled "An act making an appropriation for equipping and improving the grounds and maintenance of the State Normal School at New Whatcom and for support, maintenance and development of the State Normal School at Ellensburg," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill be amended by striking out line 5, section 1 of the printed bill.

By inserting \$5,000 in place of \$7,000, line 6, section 1.

That \$25,000 be inserted in lines 13, 14 and 22 in place of \$36,000.

To strike out lines 15, 16, 17, 18, 19, 20, 21, 23, 24 and 25 section 1, and that the bill as amended do pass.

Respectfully submitted,

We concur in this report:

AUGUSTUS HIGH, Chairman.

C. F. CLAPP.

ED. S. HAMILTON.

D. E. BIGGS.

DANIEL PAUL.

W. E. RUNNER.

On motion of Senator Runner the report was adopted.

OLYMPIA, WASH., January 20, 1899.

Hon. Thurston Daniels, President of the Senate:

I need in the performance of my duties, one complete set of Senate and House bill files; one copy each Session Laws 1889, '90, '91, '93, '95 and '97, with Senate and House journals of the same sessions; one copy Ballinger's Codes; one copy of all bills as enrolled. All these books can be obtained from the proper state officers except Ballinger's Codes.

Because of accumulated work it will be a few days before I can bring the work required of me to the degree of perfection I shall expect to attain. Respectfully submitted,

FRANK PIERCE.

On motion of Senator Wilshire it was ordered that Mr. Pierce have the above except Ballinger's Codes.

SENATE CHAMBER,

OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint resolution No. 8, memorializing Congress not to ratify the free importation of coal, lumber and shingles into the United States from the Dominion of Canada, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

L. B. ANDREWS, Chairman.

On motion of Senator Plummer the Senate went into Committee of the Whole to consider Senate bills Nos. 2, 3 and 12.

The bills were considered in the committee and reported back without amendments.

The report was adopted.

On motion of Senator Plummer Senate bill No. 3 was placed on its final passage and passed by the following vote:

Yeas 31, nays 0, absent or not voting 3.

Those voting yea were Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, and Wilshire.

Absent or not voting, Senators McReavy, Wooding and Yeend.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller, Senate bill No. 2 was placed on its final passage and passed by the following vote: Yeas 22, nays 9, absent or not voting 3.

Those voting yea were Senators Baum, Biggs, Carper, Clapp, Cole, Davis, Hall, Hamilton, High, Hill, Keith, Land, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner and Van Patten.

Those voting nay were Senators Andrews, Baker, Crow, Hammer, LeCrone, Schofield, Warburton, Wilshire and Wooding.

Absent or not voting, Senators Hemrich, McReavy and Yeend.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer Senate bill No. 12 was placed

on its final passage and passed by the following vote: Yeas 24, nays 5, absent or not voting 5.

Those voting yea were Senators Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner and Van Patten.

Those voting nay were Senators Andrews, Baker, Warburton, Wilshire and Wooding.

Absent or not voting were Senators Hemrich, McReavy, Reinhart, Schofield and Yeend.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Cole the secretary was instructed to procure daily calendars for the use of the senators.

On motion of Senator Plummer the Senate adjourned at 11:55 a. m. to the House to meet in joint session.

President Daniels called the joint session to order at 12 o'clock noon.

The secretary of the Senate called the roll of the Senate, all members being present except Senators McReavy and Yeend, who were excused.

The clerk called the roll of the House, all members being present except Boyce, Daniels, Gerry, and Olson, who were excused.

The secretary of the Senate read the minutes of the joint session of yesterday, which were approved.

The clerk called the roll on the fifth joint ballot for United States senator, which resulted as follows:

FIFTH JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-seven votes.

Those voting for Levi Ankeny were: Baldwin, Copeland, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen, Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, High, Hill, Johnston, Keith, Land, Mantz, McDonald, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, and Witter.

Those absent or not voting were: Boyce, Daniels, Gerry, McReavy, Olson, and Yeend.

No candidate having received a majority of the vote, the president declared there was no election.

The clerk called the roll on the sixth joint ballot for United States Senator, which resulted as follows:

SIXTH JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-seven votes.

Those voting for Levi Ankeny were: Baldwin, Copeland, Gose, Field, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, High, Hill, Johnston,

Keith, Land, Mantz, McDonald, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, and Witter.

Those absent were: Boyce, Daniels, Gerry, McReavy, Olson, and Yeend.

No candidate having received a majority of the votes, the president declared there was no election.

The clerk called the roll on the seventh joint ballot for United States senator, which resulted as follows:

SEVENTH JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-seven votes.

Those voting for Levi Ankeny were: Baldwin, Copeland, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, High, Hill, Johnston, Keith, Land, Mantz, McDonald, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt,

McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell and Witter.

Those absent or not voting were: Boyce, Daniels, Gerry, McReavy, Olson and Yeend.

No candidate having received a majority of the votes, the president declared there was no election.

The clerk called the roll on the eighth joint ballot for United States Senator, which resulted as follows:

EIGHTH JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-seven votes.

Those voting for Levi Ankeny were: Baldwin, Copeland, Field, Gose, Jerard, Sims, Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton, Wickersham.

Those voting for Thomas J. Humes were—Allen, Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, Mr. Speaker.

Those voting for J. Hamilton Lewis were—Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, High, Hill, Johnston, Keith, Land, Mantz, McDonald, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, Witter.

Those absent or not voting were: Boyce, Daniels, Gerry, McReavy, Olsen, Yeend.

No candidates having received a majority of the vote, the president declared there was no election.

A motion by Senator David Miller that the joint session do now dissolve, was declared lost.

The clerk called the roll on the ninth joint ballot for United States Senator, which resulted as follows :

NINTH JOINT BALLOT.

Levi Ankeny received seven votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-seven votes.

Those voting for Levi Ankeny were: Baldwin, Copeland, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Shellar, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen, Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Conway, Davis, High, Hill, Johnston, Keith, Land, Mantz, McDonald, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Pat-ten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, and Witter.

Those absent or not voting were: Boyce, Daniels, Gerry, McReavy, Olson, and Yeend.

No candidate having received a majority of the vote, the president declared there was no election.

On motion of Senator Land, the joint session dissolved at 12:40 P. M.

President Daniels called the Senate to order at 12:45 P. M.

On motion of Senator Keith, the Senate adjourned at 12:50 P. M. until to-morrow at 10 o'clock A. M.

THIRTEENTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, Jan. 21, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to ajournment.

The secretary called the roll, all members being present except Senators McReavy and Preston, who were excused.

The journal of yesterday was read and approved.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 21, 1899.

MR. PRESIDENT:

The House has passed House bill No. 23, entitled "An act relating to trials in civil actions, and providing for the examination of an adverse party or person adversely interested as if under cross-examination."

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

GENERAL FILE.

House bill No. 23, by Mr. Heilig: An act relating to civil actions, etc.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 154: An act changing the name of Gilman, King county, Washington, to Issaquah.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill was read the second time by title, and placed on its final passage.

On motion of Senator T. J. Miller, the vote placing the bill on its final passage was reconsidered.

Senator Davis moved to amend the bill by inserting the words "The City of" in line 1 of the title, after the word "of," and inserting the words "The City of" in line 1, section 1, after the word "of."

The amendment was carried.

The roll was called on the final passage of the bill, which

passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Plummer, Reinhart, Runner, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 28.

Nays: None.

Those absent or not voting were: Senators Baum, Biggs, McReavy, Paul, Preston, and Schofield — 6.

The emergency clause was passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Plummer, Reinhart, Runner, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 28.

Nays: None.

Those absent or not voting were: Senators Baum, Biggs, McReavy, Paul, Preston, and Schofield — 6.

On motion of Senator Plummer, the words “and declaring an emergency” were added to the title of the bill.

Senator Crow moved that the Senate do now go into Committee of the Whole for the consideration of Senate bills No. 23 and 24.

Senator Yeend moved an amendment that the Senate do now go into Committee of the Whole for the consideration of Senate bills numbered 23 and 24, and House bill No. 78.

The amendment was carried and the motion prevailed.

The bills were considered in the committee. President *pro tem*, Senator High in the chair and reported back that Senate bills No. 23 and 24 do pass, and that House bill No. 78 be printed and referred to the Judiciary Committee.

On motion of Senator Yeend the recommendations of the Committee on Senate bills 23 and 24 were adopted.

On motion of Senator Crow the bills were placed on their final passage.

The roll was called on Senate bill No. 23, which passed by the following vote: Yeas 29, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Car-

per, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, Wilshire, Yeend — 29.

Absent or not voting were: Senators Baum, McReavy, Preston, Schofield and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 24 was placed on its final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, Wilshire, and Yeend — 29.

Nays: None.

Those absent or not voting were: Senators Baum, McReavy, Preston, Schofield, and Wooding — 5.

Senator Yeend moved that Senate bills numbered 23 and 24 be immediately transmitted to the House.

Senator Plummer moved to amend that Senate bill No. 3 be included. The amendment was carried.

On motion of Senator T. J. Miller, the recommendation of the Committee of the Whole on House bill No. 78 was adopted.

On motion of Senator Hall, the vote by which House memorial No. 4 was passed, was reconsidered.

The roll was called on the reconsideration of the memorial, which resulted as follows: Yeas 25, nays 1, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, Wilshire, and Yeend — 25.

Senator Cole voted nay.

Those absent or not voting were: Senators Baum, Clapp, Davis, Hemrich, McReavy, Preston, Schofield, and Wooding — 8.

On motion of Senator Hall, the memorial was referred to the Committee on Memorials.

INTRODUCTION OF BILLS.

Senate bill No. 70, by Senator Wilshire: An act to amend an act entitled "An act in relation to recognizences, stipulations, bonds, and undertakings," approved March 17, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilshire, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 71, by Senator Hall: An act providing for the payment of various claims against the State of Washington, as evidenced by certificates of indebtedness, making appropriation therefor, and declaring an emergency.

The bill was read the first time; and on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 72, by Senator Hall: An act making an appropriation for the maintenance of grain inspection, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 73, by Senator Land: An act establishing a state board of inspectors of steam boilers and for the examination and licensing of engineers.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 74, by Senator Wilshire: An act to provide county depositaries and regulate the deposit of public moneys therein, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilshire, the rules were suspended, the bill read the second time by title and referred to the Committee on Municipal Corporations.

Senate bill No. 75, by Senator High: An act relating to the school for defective youth, and amending sections 2570, 2580 and 2589 of Ballenger's Annotated Statutes and Codes of the State of Washington.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title and referred to the Committee on State Charitable Institutions.

Senate bill No. 76, by Senator Crow: An act to amend section 82 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," passed March 9, 1897.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title and referred to the Committee on Revenue and Taxation.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., January 20th, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 19, entitled, "An act requiring horseshoers to pass civil service examination," have had the same under consideration, and we respectfully report the same back to the Senate with the following amendments:

Section 1, line two, printed bill, after horseshoer insert "for hire."

Section 1, line two, strike county and insert "city of five thousand or more inhabitants."

Line three, strike county register and insert "city clerk." Same line strike county and insert "city."

Section 2, line one, strike county register and insert "city clerk." Same line strike county and insert "city of five thousand inhabitants or more."

Section 2, line four, strike county and insert "city."

Section 3, line four, strike 4 and insert 3.

Section 4, line three, strike register and insert "clerk." Same line strike county and insert "city."

Section 5, line one, strike county and insert "city." Line four strike county seat and insert "city." Line five, strike county seat and insert "city." Line ten, strike county and insert "city."

Section 6, line two, strike county register and insert "city clerk." Same line strike county and insert "city." Line three, strike county and insert "city" where it occurs, and that the bill be placed on general file.

Respectfully submitted,

PAUL LAND, Chairman.

On motion of Senator Land, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 19, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom were referred sundry bills, have had the same under consideration, and we respectfully

report the same back to the Senate, with the recommendation that the bill of Olympia Hardware Co., for \$173.77, be allowed at \$167.64; that the bill of Wm. Schofield, for \$1.75, be allowed in full; that the bill of A. L. Kreider, for \$24.25, be allowed at \$21.75; that the bill of O. I. Wood, for \$293.25, be allowed at \$279.58; that the bill of Bates Bros. Furnishing Co., for \$171.25, be allowed in full; that the sum of \$1,471.70 be allowed as senator's mileage.

Respectfully submitted,

We concur in this report:

E. C. KEITH, Chairman.

J. A. DAVIS.

A. HEMRICH.

S. WARBURTON.

On motion of Senator Keith the report was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 3, "Relating to the death of Senator Horace E. Houghton," have had the same under consideration, and we respectfully report the same back to the Senate as having been properly enrolled.

Respectfully submitted.

I concur in this report:

HERMAN D. CROW, Chairman.

J. A. COLE.

SENATE CHAMBER,

OLYMPIA, WASH., January 20, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 4, relating to the death of Ex-Senator V. A. Pusey, have had the same under consideration, and we respectfully report the same back to the Senate as having been properly enrolled.

Respectfully submitted.

I concur in this report:

HERMAN D. CROW, Chairman.

J. A. COLE.

MEMORIAL.

To the Honorable Legislative Assembly of the State of Washington:

Your memorialists, citizens and voters of the State of Washington and county of Walla Walla, hereby represent—

That there are three or four hundred prisoners incarcerated in the penitentiary of the State of Washington; that while they are well cared for as to physical necessities, no provision is made for their moral and intellectual needs, such as a well seated hall would afford.

We consider this a wrong to these unfortunates, even guilty ones, who are under the care of the state in prison, and hence a reproach to the name of our beloved and honored State of Washington. We, therefore, your memorialists, respectfully and earnestly request your honorable body to provide in connection with the penitentiary of the state a good and well seated assembly hall, sufficiently large to contain the prisoners, where lectures and addresses may be delivered and intellectual and moral instruction imparted by philanthropic people.

And your memorialists will ever pray.

Signed by S. A. Ferrel, and 75 others.

On motion of Senator Yeend the memorial was referred to the Committee on Public Morals.

Senator Reinhart introduced the following resolution relating to amendment of revenue laws of Washington:

WHEREAS, The taxes of one-half the assessable real estate of the county of Whatcom have not been paid subsequent to 1892, and they are now due and delinquent against said lands, including penalties and interest, approximately, one million dollars—and which real estate are either abandoned lands, or belong to speculators, and

WHEREAS, This delinquency of taxes on real estate is the sole cause of the enormous warrant indebtedness, of the non-payment of interest on bonds, and of the financial embarrassment of schools, cities and of the counties, and

WHEREAS, This accumulation of delinquent taxes is due to the fact that there has been no law to collect taxes on real estate, and

WHEREAS, In most instances, the taxes now due, more than equal the value of the land against which it is charged, and it is evidenced that none of the taxes now delinquent, nor future levies on same land will be paid voluntarily, and

WHEREAS, This must result in loss to the county, and the longer the collection is deferred, the greater will be the loss. And which loss must be made up by double taxation on personalty, and on those who have voluntarily paid, and

WHEREAS, Carrying this property and delinquent tax on assessment and tax rolls, and on books of the county is a great and useless expense, and

WHEREAS, The present law, which enforces collection of taxes on personalty in two months, and gives owners of real estate four years or more to escape taxation, is oppressive, unjust, unfair and a discrimination unfavorable to industry and commerce, and

WHEREAS, True principles of taxation demand that one tax levy is collected before another is due,

Be it Resolved by the Whatcom Board of Trade, That it demands that the next legislature amend the revenue law:

1. So that on all taxes delinquent for 1895 and prior years proceedings to foreclose may be commenced immediately, and must be completed prior to the assessment of taxes for the year 1900.

2. So that proceedings to foreclose on all other and future taxes may commence within eighteen months from date of delinquency thereof.

Resolved, That a copy of these resolutions be sent to each member of the legislature from this county, and as similar conditions exist in other counties of the state as in this, a copy of these resolutions be sent to commercial organizations in other cities in the state.

This is to certify that the foregoing resolutions were unanimously adopted at a meeting of the Board of Trade of New Whatcom, on the 6th day of January, 1899.

(Signed,)

S. B. IRISH, Secretary.

O. B. BARBO,

President Board of Trade.

On motion of Senator Reinhart the resolution was referred to the Committee on Revenue and Taxation.

On motion of Senator T. J. Miller, the Senate took a recess at 11:35 A. M. until 11:55 A. M.

President Daniels called the Senate to order at 11:55 A. M.

A communication was received and read from the Olympia Typographical Union, signed by Robert E. Stenner and others, in regard to state printing.

On motion of Senator Cole, the Senate adjourned to the House at 12 o'clock noon to meet in joint session.

President Daniels called the joint session to order at 12 o'clock noon.

The secretary called the roll of the Senate, all members being present except Senator McReavy, who was excused.

The clerk called the roll of the House, all members being present except Boyce, Gerry, Olson, and Sharp, who were excused.

The secretary of the Senate read the minutes of the joint session of yesterday relating to the ballot for United States Senator, which were approved.

The clerk called the roll on the tenth joint ballot for United States Senator, which resulted as follows:

TENTH JOINT BALLOT.

Levi Ankeny received eight votes.

Addison G. Foster received twenty-six votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-seven votes.

Robert Bridges received one vote.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerin-

dyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Davis, High, Hill, Johnston, Keith, Land, Mantz, McDonald, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, Welty, and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, and Witter.

Mr. Conway voted for Robert Bridges.

Those absent or not voting were: Boyce, Gerry, McReavy, Olson, and Sharp.

No candidate receiving a majority of all votes cast, the president declared there was no election.

The clerk called the roll for the eleventh joint ballot for United States Senator, which resulted as follows:

ELEVENTH JOINT BALLOT.

Levi Ankeny received eight votes.

Addison G. Foster received twenty-six votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-seven votes.

Robert Bridges received one vote.

H. P. Jones received one vote.

Those voting for Levi Ankeny were: Baker, Copeland, Daniels, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Davis, High, Hill, Johnston, Keith, Land, Mantz, McDonald, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, and Witter.

Mr. Conway voted for Robert Bridges.

Mr. Welty voted for H. T. Jones.

Those absent or not voting were: Boyce, Gerry, McReavy, Olson, and Sharp.

No candidate receiving a majority of all votes cast, the president declared there was no election.

The clerk called the roll for the twelfth joint ballot for United States senator, which resulted as follows:

TWELFTH JOINT BALLOT.

Levi Ankeny received eight votes.

Addison G. Foster received twenty-six votes.

Thomas J. Humes received twenty-one votes.

James Hamilton Lewis received twenty-five votes.

John L. Wilson received twenty-seven votes.

Absent or not voting, five.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jarard, Sims, Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Gunderson, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sheller, Stewart, Stocking, Warburten, Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Conway, Cole, Davis, High, Hill, Johnston, Keith, Land, Mantz, McDonald, Miller David, Miller T. J.,

Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, Welty, Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfit, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, Witter.

Those absent and not voting were: Boyce, Gerry, McReavy, Olson and Sharp.

No candidate receiving a majority of all votes cast, the president declared there was no election.

On motion of Mr. McDonald, the joint session was dissolved at 12:35 P. M.

President Daniels called the Senate to order at 12:40 P. M.

On motion of Senator Baker, the Senate adjourned at 12:45 P. M., until 11 o'clock A. M. on Monday.

DUDLEY ELHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 23, 1899. }
11 o'clock A. M.

President Daniels called the Senate to order at 11 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Davis, who was excused.

The journal of Saturday was read and approved.

The following communication and resolution from the Legislature of the State of Oregon was received and read:

STATE OF OREGON, HALL OF REPRESENTATIVES,
SALEM, OREGON, Jan. 20, 1899.

Hon. Thurston Daniels, Lieutenant Governor and Ex officio President of the Senate of the State of Washington:

DEAR SIR—The legislative assembly of the State of Oregon have

adopted House concurrent resolution No. 2, a copy of which is herewith transmitted for the consideration of your honorable assembly.

The joint committee appointed under said resolution consists of Senators Reed and Daly, and Representatives Myers, Farrel and Curtis.

You are requested to make known to this House, the action of your assembly in the matter, and, if favorable action is had, that the committee of conference on the part of your state should state the time and place at which said conference could meet, naming as early a date as practicable.

Very respectfully,

A. C. JENNINGS, Chief Clerk.

HOUSE CONCURRENT RESOLUTION No. 2.

INTRODUCED BY GEO. T. MYERS, MULTNOMAH.

Resolved by the House, the Senate concurring, That a special committee of three from the House and two from the Senate be appointed to meet with like committee to be appointed by the Legislature of the State of Washington, to look after the fishing industries on the Columbia river and regulate the laws governing the same with uniform laws, and that the clerk be instructed to notify the Legislature of the State of Washington of such action.

Adopted by the House January 9th, 1899.

E. B. CARTER, Speaker of the House.

Concurred in by the Senate January 12, 1899.

T. C. TAYLOR, President of the Senate.

I, A. C. Jennings, Chief Clerk of the House of Representatives of the State of Oregon, hereby certify that the foregoing is a true and correct copy of the original enrolled House concurrent resolution No. 2, now on file in the office of the Secretary of State.

SALEM, OREGON, January 18th, 1899.

A. C. JENNINGS, Chief Clerk.

January 20th, 1899, committees appointed: Senators, Reed and Daly; Representatives, Myers, Farrel, Curtis.

Attest: A. C. JENNINGS, Chief Clerk.

SENATE CONCURRENT RESOLUTION NO. 6, BY SENATOR MEGLER.

Resolved by the Senate, the House concurring, That a communication be sent to the Legislature of the State of Oregon, informing them that a like committee on concurrent fisheries laws will be appointed by this Legislature, and requesting the committee from Oregon Legislature to meet the Washington committee at Tacoma, Wash., on Saturday evening, January 28th.

On motion of Senator Megler the resolution was adopted, the rules suspended, and the resolution immediately transmitted to the House.

The president appointed Senators Megler and McReavy a committee in accordance with the resolution.

REPORT OF COMMITTEE ON RULES.

To the Senate and House of Representatives of the State of Washington:

MR. PRESIDENT—We, the joint committee appointed by the several houses of this Legislature for the purpose of formulating the joint rules for the conduct of the business of both houses, do hereby report that we

recommend the adoption of the joint rules of the Senate and House as used by the Legislature of 1897.

Respectfully submitted.

JOHN I. YEEND,
W. BYRON DANIELS,
ED. S. HAMILTON,
JOHN McREAVY.
IRA P. ENGLEHART,
CHAS. BEDFORD,
Joint Committee.

Senator Yeend moved that the report be adopted.

The motion was carried.

Senator Yeend, the chairman of the Committee on Rules and Joint Rules, submitted to the Senate matters the committee had under consideration, and moved that the matter be taken up in detail and acted upon by the Senate.

Senator Land moved to amend that the matter be referred back to the Committee on Rules and Joint Rules.

The amendment was carried.

Senate bill No. 19, by Senator Hemrich: An act requiring horseshoers to pass civil service examination was read the third time by sections.

On motion of Senator Preston, in line two, section four, of the printed bill, the word "ten" was stricken out and "thirty" inserted.

Senator Crow moved to amend by adding "and such registration" after the word "act," in line four, section four, of the printed bill.

The motion prevailed.

Senator Preston moved to amend by adding "the board" after the word "and," in line twelve, section five, of the printed bill.

The motion prevailed.

Senator Preston moved to amend section six by adding "city treasurer" after the word "the," in line two, of the printed bill, and strike "city clerk, or the city official having the custody of the city seal and records."

The motion prevailed.

On motion of Senator Mantz the bill was recommitted to the Committee on Labor and Labor Statistics.

INTRODUCTION OF BILLS.

Senate bill No. 77, by Senator Cole: An act for the protection of persons working in coal mines, and amending an act entitled

“an act for the protection of persons working in coal mines,” approved March 6, 1897.

The bill was read the first time, and on motion of Senator Cole the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 78, by Senator Cole: An act concerning the Coal Mine Inspector, and declaring an emergency.

The bill was read the first time, and upon motion of Senator Cole, the rules were suspended the bill read the second time by title and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 79, by Senator David Miller: An act to preserve from pollution the water supplied to the inhabitants of cities and towns in the State of Washington, to declare what are nuisances in the vicinity of the source of such water supply providing for the abatement thereof, and for the punishment of the violation of this act.

The bill was read the first time, and on motion of Senator Miller the rules were suspended, the bill read the second time by title and referred to the Committee on Municipal Corporations.

Senate bill No. 80, by Senator Plummer: An act providing a method for the payment and settlement of delinquent special street grade assessments in cities of the first class in the State of Washington.

The bill was read the first time and on motion of Senator Plummer the rules were suspended, the bill read the second time by title and referred to the Committee on Revenue and Taxation.

Senate bill No. 81, by Senator Schofield: An act to amend sections 3 and 4 of an act entitled “An act relating to county boundaries,” approved March 16, 1897. The same being sections 3 and 4 of chapter LXXVI of the Session Laws of 1897.

The bill was read the first time, and on motion of Senator Schofield the rules were suspended, the bill read the second time by title and referred to the Committee on Counties and County Boundaries.

Senate bill No. 82, by Senator Mantz: An act to amend section 5 of an act entitled “An act to prescribe the number of Senators and Representatives of the House of Representatives of the

Legislature of the State of Washington, to provide for the election of the same, for the apportionment of the state into senatorial and representative districts, and declaring an emergency," the same being passed by the Legislature on the 11th day of September, Session Laws 1890, the same being section 41, chapter 1, title 2 of volume 1 of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time, and on motion of Senator Mantz the rules were suspended, the bill read the second time by title and referred to the Committee on Elections and Election Privileges.

Senate bill No. 83, by Senator Preston: An act to establish an industrial home for the blind, making an appropriation therefor and declaring an emergency.

The bill was read the first time and on motion of Senator Preston the rules were suspended, the bill read the second time by title and referred to the Committee on State Charitable Institutions.

Senate memorial No. 2, by Senator Andrews: Relating to the American merchant marine, was introduced and read the first time; and, on motion of Senator Andrews, the rules were suspended, and the memorial read the second time by title, and referred to the Committee on Memorials.

Senate memorial No. 3, by Senator Hamilton: Relating to the passage of a bill now pending in congress, for the benefit of the American merchant marine, was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

On motion of Senator Land the Senate adjourned at 12 o'clock noon, to the House to meet in joint session.

President Daniels called the joint session to order at 12:10 P. M.

The secretary of the Senate called the roll of the Senate, all members being present except Senator Davis, who was excused.

The clerk called the roll of the House, all members being present except Boyce and Olson, who were excused.

The clerk of the House read the minutes of Saturday relating to the joint ballot for United States senator, which were approved.

The clerk called the roll for the thirteenth joint ballot for United States senator, which resulted as follows:

THIRTEENTH JOINT BALLOT.

Levi Ankeny received eight votes.

Addison G. Foster received twenty-five votes.

Thomas J. Humes received twenty-two votes.

James Hamilton Lewis received twenty-five votes.

John L. Wilson received twenty-seven votes.

Robert Bridges received one vote.

Absent four.

Those voting for Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Sims, Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller, E. C., Mutty, Sharp, Sheller, Stewart, Stocking, Warburton and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Gunderson, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, Welty and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell and Witter.

Mr. Conway voted for Mr. Bridges.

Those absent or not voting were: Boyce, Davis, Olson and Parker.

No candidate having received a majority of the votes cast, the president declared there was no election.

On motion of Senator Plummer, the joint session dissolved at 12:35 P. M.

President Daniels called the Senate to order at 12:40 P. M.

The president signed Senate Concurrent Resolution No. 3, relating to the death of the late Senator Horace E. Houghton.

The president signed Senate Concurrent Resolution No. 4, relating to the death of the late Ex-Senator Virgil A. Pusey.

On motion of Senator Plummer, the Senate adjourned at 12:45 P. M., until 10 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

SIXTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday January 24, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Davis and Wilshire.

Senator Davis was excused on account of sickness, and Senator Wilshire was excused and granted a leave of absence to visit his mother, who is dangerously ill.

The Journal of yesterday was read and approved.

Senator Biggs presented the following petition:

To the Honorable Senators and Representatives of the Legislature of the State of Washington:

We, the undersigned petitioners, citizens of Whatcom county, Washington, believing that the educational interests of our state can be best served by having only trained teachers in our public schools, and that under the present conditions such training cannot be had, respectfully represent and show :

First. That the population of the state west of the Cascade mountains is 224,312, and east of these mountains 125,078, a difference of 99,234.

Second. That the number of school children west of the Cascade mountains is 73,337, and east of the mountains is 45,054, a difference of 28,285.

Third. That the difference in climate between the eastern and western portions of our state is so great that many hesitate to make the change on that account.

Fourth. That the number of teachers necessary to supply the yearly demand is approximately 600.

Fifth. That 628 applicants have failed to secure certificates during the past year, and that in order to supply the demand for teachers it has been necessary to grant 499 temporary certificates to persons of questionable qualifications.

Sixth. That good business judgment demands that the graduates of the public schools of our state be trained and used as far as possible, rather than the imported teachers educated elsewhere.

Seventh. That the function of the normal school and of the university is essentially different; that of the normal school to prepare teachers for work below the high school, and that of the university to prepare persons for high school teachers, or for other professional callings.

Eighth. That under our present facilities, not more than fifty teachers can be prepared each year; that either the facilities at the present normal school must be duplicated or other schools established.

Ninth. That owing to the fact that a large and commodious building has already been built at New Whatcom, Washington, for normal school purposes, at a cost to the state of \$40,000, it would be wise to use this building in preference to building elsewhere.

Tenth. That experience in this and other states has shown that the normal school must be brought to the student, and not the student to the normal school.

Eleventh. That cheapness of transportation on Puget Sound is an added reason for the establishment of a normal school west of the Cascade mountains.

For the above reasons your petitioners respectfully ask that your honorable body will make a sufficient appropriation to put into operation the normal school at New Whatcom, Washington.

Signed by R. C. HIGGINSON, and 500 others.

On motion of Senator Biggs, the petition was placed on file.

A communication from H. A. White, of Whatcom county, relating to deep water oyster culture was read, and on motion of Senator Reinhart, was referred to the Committee on Fisheries.

On motion of Senator Runner, the Senate resolved itself into a committee of the whole for the consideration of Senate bill No. 42, by Senator Biggs: An act making appropriations for New Whatcom, Ellensburg and Cheney Normal schools, etc.

The bill was considered in the committee, President *Pro Tem*. Senator High in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Megler, the report was adopted and the bill referred to the engrossing committee.

The president administered the oath of office to Hal. Porter, assistant engrossing clerk.

The president signed House concurrent resolution No. 2: Relating to the death of the late Hon. A. A. Denny.

The president signed House concurrent resolution No. 5: Relating to legislation by the Dominion of Canada, at Ottawa, with reference to the exclusion of citizens of the United States from the gold fields of Atlin.

On motion of Senator McReavy the Senate resolved itself into a Committee of the Whole for the consideration of Senate bill No. 54, by Senator McReavy: Making an appropriation to continue the operation of the State Salmon Hatcheries.

The bill was considered in the committee, Senator Warburton in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

Senator T. J. Miller moved that the report of the committee be adopted, the rules suspended, the bill considered engrossed and placed on its final passage.

The motion prevailed.

The bill was read the third time and passed by the following vote: Yeas 30, nays 2, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Warburton, Wooding, Yeend—30.

Those voting nay were: Senators Reinhart and Van Patten.—2.

Absent or not voting: Senators Davis and Wilshire—2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate concurrent resolution No. 3, relating to the death of Senator Horace E. Houghton, and the same is transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate concurrent resolution No. 4, relating to the death of Ex-Senator V. A. Pusey, and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

The speaker has signed House concurrent resolution No. 2, and the same is herewith transmitted for the signature of the president of the Senate; relating to the funeral of the late Arthur A. Denny.

Respectfully submitted.

W. F. DILLON, Chief Clerk.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 23, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred Senate bill No. 54, entitled "An act making an appropriation to continue the operation of the state salmon hatcheries and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report:

J. G. MEGLER.

AUGUSTUS HIGH.

GEO. D. SCHOFIELD.

D. E. BIGGS.

GEO. H. BAKER.

On motion of Senator Warburton the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was re-referred Senate bill No. 19, entitled "An act requiring horseshoers to pass civil service examination," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that in line 2 of section 3, printed bill, the word "the" before the words "board of examiners" be stricken and the word "a" be substituted therefor.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report:

THOS. J. MILLER.

E. HAMMER.

On motion of Senator Land the report was adopted.

Senator Hemrich moved to amend by striking the word "three" and inserting "four" in line 4 section 3 of the printed bill.

The amendment was carried.

Senator Preston moved to amend by striking the words "to practice" and inserting "from practicing" after the word "examination" in line 7 section 4 of the printed bill.

The amendment was carried.

On motion of Senator Land, the bill as amended, was referred to the Committee on Engrossed Bills.

OLYMPIA, WASH., January 12, 1899.

MR. PRESIDENT:

Your chairman of Committee on Rules and Joint Rules, beg to submit minority report as follows:

Would recommend the adoption of present rules of the Senate, with the following amendments:

1st. Rule 6 should be amended as follows: Rule 6. The Senate shall appoint all special joint and the following standing committees on the part of the Senate:

<i>Committees.</i>	<i>No. Members.</i>
1st. Agricultural	5
2d. Appropriations	9
3d. Claims and Auditing	5
4th. Commerce	3
5th. Constitution and Constitutional Revision	7
6th. Corporations other than Municipal	7
7th. Counties and County Boundaries	5
8th. Dikes, Drains and Drainage	3
9th. Education	5
10th. Educational Institutions	5
11th. Elections and Privileges	5
12th. Engrossed Bills	3
13th. Enrolled bills	3
14th. Fisheries	7
15th. Harbor and Harbor Lines	5
16th. Irrigation and Arid Lands	5
17th. Judiciary	9
18th. Labor and Labor Statistics	5
19th. Manufactures	3
20th. Medicine, Dentistry, Hygiene and Surgery	3
21st. Memorials	3
22d. Military	5
23d. Mines and Mining	7
24th. Municipal Corporations	7
25th. Printing	5
26th. Public Buildings and Grounds	5
27th. Public Morals	3
28th. Public Revenue and Taxation	9
29th. Roads and Bridges	7
30th. Rules and Joint Rules	3
31st. Salaries and Mileage	5
32d. State, Granted, School and Tide Lands	7
33d. State Library	3
34th. State Penal and Reformatory Institutions	5
35th. State Charitable Institutions	5
36th. Senate Employes, other than Regular	5
37th. Railroad and Transportation Companies	7

2d. That Rule 8 be amended as follows: Rule 8. The several commit-

tees shall fully consider all measures referred to them, and report upon the same within ten days after such reference, if demanded by the Senate. And the Committee on Claims and Auditing shall carefully consider all items of expenditure ordered or contracted on the part of the Senate or any of its employes, and report upon the same prior to the voucher being signed by the president and secretary of the Senate, authorizing the payment thereof.

The committee shall acquaint themselves with the interests of the state, especially represented by the committees, and from time to time present such bills and reports as, in their judgment, will advance the interests and promote the welfare of the people of the state.

No committee shall sit during the daily session of the Senate, unless by special leave.

A complete record of the proceedings of the committee shall be kept by the clerk thereof, in a book provided for that purpose.

3d. That rule 11 shall be amended as follows: Rule 11. In forming the committee of the whole, the president shall name a chairman to preside, and any bills considered shall be read by sections, and the chairman shall call for amendments and debates thereon, at the conclusion of the reading of the section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper, as the same shall be agreed to by the committee, and so reported to the Senate for action.

The secretary of the Senate shall keep a record of the proceedings of the committee of the whole, and the same shall be entered in the Senate journal.

4th. Rule 12. The rules of the Senate shall apply to proceedings in committee of the whole, except that the previous question shall not be ordered, but the committee may limit the number of times that any member may speak, at any stage of the proceedings during the sittings.

5th. Rule 63. No standing rule or order of the Senate shall be rescinded or changed without a vote of two-thirds of the members, and one day's notice of the motion therefor, but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present; but that portion of rule 28, which provides for notice to move a reconsideration, shall not be suspended except by unanimous consent. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the Senate may proceed accordingly, but this shall not apply to rule 22, relating to the third reading of bills, which cannot be suspended.

JOHN I. YEEND, Chairman.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, a majority of your Committee on Rules and Joint Rules respectfully report to the Senate, with the recommendation that this body do adopt the rules of 1897 as the permanent rules of this session, amending Rule 6 by adding committee No. 37, to be known as the Committee on Railroads and Transportation.

ED. S. HAMILTON,
JOHN MCREAVY.

Senator Hamilton moved the adoption of the majority report, with an amendment that two members be added to the Committee on Appropriations.

Senator David Miller moved an amendment to the report to be known as rule No. 64, prohibiting the passage of bills by the Senate after 6 o'clock p. m. on the last day of the session. The amendment was lost.

The question being put on the original motion it was declared carried.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 19, entitled "An act to require horseshoers to pass civil service examination," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

C. A. MANTZ,

HAROLD PRESTON.

SENATE CHAMBER.

OLMPIA, WALH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 42, entitled "An act making appropriation for equipment and maintenance of the State Normal School at New Whatcom, and for the maintenance of the State Normal School at Ellensburg, and for the maintenance of the State Normal School at Cheney, for the two years ending March 31, 1901," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report.

C. A. MANTZ,

HAROLD PRESTON.

On motion of Senator T. J. Miller the secretary was instructed to order 300 copies of the rules printed.

On motion of Senator Warburton the Senate adjourned to the House at 12 o'clock noon to meet in joint session.

President Daniels called the joint session to order at 12 o'clock m.

The secretary of the Senate called the roll of the Senate, all members being present except Senators Davis and Wilshire who were excused.

The clerk called the roll of the House, all members being present except Boyce, Olson and Parker who were excused.

The secretary of the Senate read the minutes of yesterday re-

lating to joint ballot for United States Senator, which were approved.

The clerk called the roll for the fourteenth joint ballot for United States Senator, which resulted as follows:

FOURTEENTH JOINT BALLOT.

Levi Ankeny received eight votes.

Addison G. Foster received twenty-five votes.

Thomas J. Humes received twenty votes.

James Hamilton Lewis received twenty-five votes.

John L. Wilson received twenty-eight votes.

B. F. Heuston received one vote.

Absent or not voting five.

Those voting for Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Sharp, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, Welty, and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, and Witter.

Mr. Conway voted for B. F. Heuston.

Absent or not voting: Boyce, Davis, Olson, Parker, and Wilshire.

No candidate having received a majority of the votes, the president declared there was no election.

A motion by Mr. Totten that the joint session do now dissolve

was lost by the following vote: Yeas 42, nays 65, absent or not voting 5.

Those voting yea were: Baldwin, Barlow, Baum, Bedford, Biggs, Bishop, Bisson, Carper, Clapp, Cole, Conway, Copeland, Corey, Daniels, Dixon, Field, Gose, High, Hill, Jerard, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Mutty, Myers, Patterson, Paul, Pendergast, Plummer, Reinhart, Runner, Somerindyke, Totten, Van Patten, Warburton, White, and Mr. Speaker — 42.

Those voting nay were: Allen Hiram E., Allen, Wilford, Andrews, Baker, Beals, Bellows, Brown, Callvert, Carpenter, Chrisman, Clark, Colwell, Crow, Curtiss, Dorsey, Eames, Englehart, Falknor, Frick, Frye, Gerry, Gleason, Gunderson, Hall, Hamilton, Hammer, Harrison, Heilig, Hemrich, Johnston, Kingsbury, Lambert, Langfitt, LeCrone, Maxwell, McCoy, McLean, Megler, Miller E. C., Minard, Mount, Palmer, Parrish, Pratt, Preston, Rosenhaupt, Schofield, Scott, Sexton, Sharp, Sheller, Sims, Sinclair, Smith, Stewart, Stocking, Stockwell Thacker, Welty, Wickersham, Wilson, Witter, Wooding, and Yeend — 64.

Absent or not voting: Boyce, Davis, Olson, Parker, and Wilshire — 5.

The clerk called the roll on the fifteenth joint ballot for United States senator, which resulted as follows:

FIFTEENTH JOINT BALLOT.

Levi Ankeny received eight votes.

Addison G. Foster received twenty-five votes.

Thomas J. Humes received twenty votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-eight votes.

Reese P. Daniels received one vote.

T. M. Vance received one vote.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dixon, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Sharp, Sheller, Stewart, Stocking, Warburton, Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Pratt, Patterson, Preston, Smith, Somerindyke, Thacker, White, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, Witter.

Mr. Conway voted for Reese P. Daniels.

Mr. Yeend voted for T. M. Vance.

Those absent or not voting were: Boyce, Davis, Olson, Parker, Wilshire.

No candidate having received a majority of the votes cast, the president declared there was no election.

On motion of Mr. McDonald the joint session dissolved at 12:30 P. M.

President Daniels called the Senate to order at 12:35 P. M.

On motion of Senator T. J. Miller, the Senate adjourned at 12:45 P. M. until 2:30 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2:30 P. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senators Davis and Wilshire, who were excused.

INTRODUCTION OF BILLS.

Senate bill No. 84, by Senator Warburton: An act for the relief of Capt. James Ross, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended the bill read the second

time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 85, by Senator Mantz: An act appropriating money for the purpose of building and maintaining a fish ladder over Myer's falls on the Colville river, in Stevens county.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and referred to Committee on Fisheries.

Senate bill No. 86, by Senator Hamilton: An act making appropriation for the payment of judgment against the state for salaries to certain officers.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 87, by Senator T. J. Miller: An act concerning the descent of real and personal property and amending sections 1480, 1495 of volume 1 of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 88, by Senator Schofield, by request: An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electrical current, or appurtenances or appliances connected therewith; to remove, injure or destroy any house, shop, building or other structure or machinery connected therewith, or to set any fire that shall result in such injury or destruction, or to prevent the removal of any obstruction to such lines, and prescribing the punishment therefor.

The bill was read the first time; and, on motion of Senator Schofield, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 89, by Senator Clapp: An act relating to penalty and interest on state, county and municipal taxes, which become due and payable prior to January 1, 1899, and where the property has not been sold to third parties, and declaring an emergency.

The bill was read the first time; and, on motion of Senator

Clapp, the rules were suspended, the bill read the second time by title, and referred to the Committee on Revenue and Taxation.

Senate bill No. 90, by Senator T. J. Miller: An act to provide against the adulteration of food and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Medicine and Surgery.

Senate bill No. 91, by Senator Keith: An act providing for the construction of fire escapes on buildings of over two stories in height and providing a punishment for the violation thereof.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 92, by Senator Preston: An act providing for the levying and collecting of an annual tax for a general road and bridge fund in the several counties of the state, directing the manner of expenditure thereof, and repealing all acts and parts of acts inconsistent herewith.

The bill was read the first time; and, on motion of Senator Preston the rules were suspended, the bill read the second time by title and referred to the Committee on Roads and Bridges.

Senate bill No. 93, by Senator Plummer: An act changing the name of Hangman creek in Spokane county to Latah creek.

The bill was read the first time; and, on motion of Senator Plummer the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

On motion of Senator Baum the Senate went into executive session at 3 o'clock P. M., for the consideration of the appointments made by the Governor and not yet acted upon by the Senate.

On motion of Senator Yeend the sergeant-at-arms was instructed to exclude from the Senate chamber all persons except members of the Senate and the secretary.

EXECUTIVE SESSION.

President Daniels called the executive session to order at 3 P. M., for the consideration of the appointments made by the Governor and not heretofore confirmed by the Senate.

The secretary called the roll on the confirmation of John B. Allen, H. W. Canfield, and R. C. McCroskey, regents of the Agricultural College, which resulted as follows: Yeas 32, nays none, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, Yeend — 32.

Those absent or not voting were Senators Davis and Wilshire.

The said Regents having received a majority vote the president declared their appointments duly confirmed.

The secretary called the roll on the confirmation of Alden J. Blethen, Regent of the University of Washington, which resulted as follows: Yeas 20, nays 11, absent or not voting 3, total 34.

Those voting yea were: Senators Biggs, Carper, Cole, Hall, Hemrich, High, Hill, Keith, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten — 20.

Those voting nay were: Senators Andrews, Baker, Baum, Clapp, Crow, Hamilton, Hammer, LeCrone, Warburton, Wooding, and Yeend — 11.

Those absent or not voting were: Senators Davis, Land, and Wilshire — 3.

The said regent having received a majority vote, the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of George H. King, Richard Winsor, John P. Hoyt, C. M. Easterday, James Z. Moore, and L. D. Godshall, regents of the University of Washington, which resulted as follows: Yeas 32, nays none, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding and Yeend — 32.

Absent or not voting: Senators Davis, and Wilshire — 2.

The said regents having received a majority vote the president declared their appointment duly confirmed.

The secretary called the roll on the confirmation of Clide Warner, E. E. Wager, and Johnson Nickeus, trustees of the State Normal School at Ellensburg, which resulted as follows: Yeas 32, nays 0, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend—32.

Nays: None.

Absent or not voting: Senators Davis and Wilshire.

The said trustees having received a majority vote, the president declared their appointments duly confirmed.

The secretary called the roll on the confirmation of Augustus High, P. Hough, J. N. Percey, and Dr. Horace E. Merkel, Trustees of the School for Defective Youth, which resulted at follows: Year 32, nays none, absent or not voting, 2; total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend—33.

Nays: None.

Absent or not voting: Senators Davis and Wilshire.

The said trustees having received a majority vote, the president declared their appointments duly confirmed.

The secretary called the roll on the confirmation of Ernest Lister, of the State Board of Audit and Control, which resulted as follows: Yeas 29, nays 2, absent or not voting, 3; total 34.

Those voting yea were Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Warburton—29.

Those voting nay were Senators Miller T. J., and Yeend—2.

Absent or not voting were Senators Davis, Wilshire and Wooding—3.

The said Ernest Lister having received a majority vote, the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of Henry J. Snively of the State Board of Audit and Control, which resulted as follows: Yeas 23, nays 8, absent or not voting 3, total 34.

Those voting yea were Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hemrich, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Schofield, and Van Patten—23.

Those voting nay were Senators Baker, Hall, Hamilton, Hammer, LeCrone, Miller T. J., Wooding and Yeend—8.

Absent or not voting, Senators Davis, Warburton and Wilshire—3.

The said Henry J. Snively having received a majority vote the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of John C. Stallcup, of the State Board of Audit and Control, which resulted as follows: Yeas 29, nays 2, absent or not voting 3, total 34.

Those voting yea were Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton and Wooding—29.

Those voting nay were Senators Miller T. J. and Yeend—2.

Those absent or not voting were Senators Davis, Hall and Wilshire—3.

The said John C. Stallcup having received a majority vote the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of W. M. Ridpath, of the State Board of Audit and Control, which resulted as follows: Yeas 29, nays 3, absent or not voting 2, total, 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Schofield, Warburton, and Wooding — 29.

Those voting nay were: Senators Miller T. J., Van Patten, and Yeend — 3.

Those absent or not voting were: Senators Davis and Wilshire.

The said W. M. Ridpath having received a majority vote the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of J. Eugene Jordan, of the State Board of Audit and Control, which resulted as follows: Yeas 20, nays 8, absent or not voting, 6, total 34.

Those voting yea were: Senators Baker, Baum, Carper, Clapp, Cole, Crow, Hemrich, High, Hill, Keith, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, and Schofield — 20.

Those voting nay were: Senators Andrews, Hall, Hamilton, Hammer, Land, Miller T. J., Van Patten, and Yeend — 8.

Those absent or not voting were: Senators Biggs, Davis, Le Crone, Warburton, Wilshire, and Wooding — 6.

The said J. Eugene Jordan having received a majority vote the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of E. A. McDonald, State Dairy Commissioner, which resulted as follows: Yeas 23, nays 5, absent or not voting 6, total 34.

Those voting yea were: Senators, Baum, Biggs, Carper, Clapp, Cole, Hamilton, Hemrich, High, Hill, Keith, Land, Le Crone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton — 23.

Those voting nay were: Senators Andrews, Baker, Hammer, Wooding and Yeend — 5.

Those absent or not voting were: Senators Crow, Davis, Hall, Miller David, Plummer and Wilshire — 6.

The said E. A. McDonald having received a majority vote, the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of A. C. Little, State Fish Commissioner, which resulted as follows: Yeas 30, nays 1, absent and not voting 3, total 34.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High; Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton and Wooding — 30.

Those voting nay were: Senator Andrews — 1.

Those absent or not voting were: Senators Davis, Wilshire and Yeend — 2.

The said A. C. Little having received a majority vote, the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of Drs. E. Van Zandt, J. P. Turney, J. H. Hoxey, P. B. M. Miller, E. C. Grove, and P. B. Swearingen, the State Board of Medical Examiners, which resulted as follows: Yeas 32, nays none, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, Yeend — 24.

Those absent or not voting were Senators: Davis and Wilshire.

The said Board having received a majority vote the president declared their appointments duly confirmed.

The secretary called the roll on the confirmation of Drs. M. F. Terry and D. C. Newman, the members of the State Board of Health, which resulted as follows: Yeas 32, nays none, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, Yeend — 32.

Those absent or not voting were: Senators Davis and Wilshire — 2.

The said members of the said board having received a majority vote, the president declared their appointment duly confirmed.

The secretary called the roll on the confirmation of Horace Guptil and George H. White, Pilot Commissioners for Puget Sound, etc., which resulted as follows: Yeas 32, nays 0, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend — 32.

Yeas: None.

Those absent or not voting were: Senators Davis and Wilshire — 2.

The said Pilot Commissioners having received a majority vote, the president declared their appointment duly confirmed.

The secretary called the roll on the confirmation of Dan Stewart, F. D. Schnebley, T. B. Gunn, J. M. Baxter, and William Lee, State Fair Commissioners, which resulted as follows: Yeas 32, nays 0, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend — 32.

Nays: None.

Absent or not voting: Senators Davis, and Wilshire.

The said State Fair Commissioners having received a majority vote, the president declared their appointment duly confirmed.

The secretary called the roll on the confirmation of Herbert Bashford, the State Librarian, which resulted as follows: Yeas 32, nays none, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend — 32.

Nays: None.

Absent or not voting: Senators Davis and Wilshire.

The said State Librarian having received a majority vote, the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of E. Johns, State Log Scaler, which resulted as follows: Yeas 32, nays none, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, David Miller, T. J. Miller, Paul, Plummer, Preston, Reinhart, Runner, Scofield, Van Patten, Warburton, Wooding, and Yeend — 32.

Those absent or not voting were: Senators Davis and Wilshire — 2.

The said state log scaler having received a majority vote the president declared his appointment duly confirmed.

The secretary called the roll on the confirmation of J. D. McIntyre (Brigadier General) and Major E. H. Fox (Adjutant General) which resulted as follows: Yeas 32, nays none, absent or not voting 2, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, David Miller, T. J. Miller, Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yend — 32.

Those absent or not voting were: Senators Davis and Wilshire — 2.

The said J. D. McIntyre and Major E. H. Fox having received a majority vote, their appointments were declared by the president to be duly confirmed.

On motion of Senator Plummer the executive session dissolved.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

The speaker has signed House concurrent resolution No. 5, and the same is herewith transmitted for the signature of the president of the Senate.

Respectfully submitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

The House has failed to concur in Senate amendment to House bill No. 154, entitled "An act changing the name of Gilman, King county, to Issaquah," and asks for the appointment of a conference committee.

W. F. DILLON, Chief Clerk.

Senator Plummer moved that Senate bill No. 42, by Senator Biggs, making appropriations for equipping and improving the grounds and maintenance of the State Normal School at New Whatcom, and for the support, maintenance and development of the State Normal School at Ellensburg, and for the maintenance and improving of the grounds, and repairing the State Nor-

mal School at Cheney, be placed on its final passage. The bill was read the third time.

On motion of Senator Megler, the bill was recommitted to the Engrossing Committee.

On motion of Senator T. J. Miller, the Senate refused to recede from its action amending House bill No. 154, and asks for the appointment of a conference committee.

On motion of Senator Land, the Senate adjourned at 4:55 P. M. until 10 o'clock A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS.
President of the Senate.

SEVENTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 25, 1899. }
10 o'clock A. M.

The president called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Wilshire, who was excused.

The journal of yesterday was read and approved.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 29, entitled "An act to provide for the establishment of a state road from Montesano, Chehalis county, by way of North River valley, Willapa, South Bend, the Nehma river, and Gray's River valleys, to a point on the Columbia river at Brookfield, Wahkiakum county, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

JOSEPH HILL, Chairman.
J. G. MEGLER.
GEO. H. BAKER.
AUGUSTUS HIGH.
JOHN WOODING.
E. HAMMER.
C. A. MANTZ.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 25, entitled, "An act, providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from Lyle, in Klickitat county, Washington, to Washougal, in Clarke county, Washington, creating a commission therefor, defining their duties, making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

We concur in this report:

JOSEPH HILL, Chairman.

J. G. MEGLER.

GEO. H. BAKER.

AUGUSTUS HIGH.

JOHN WOODING.

E. HAMMER.

C. A. MANTZ.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 39, entitled, "An act amending sections 9 and 12 of an act entitled 'An act providing for the survey and establishment of a state road, creating a commission, defining its duties and making an appropriation therefor, and declaring an emergency, approved March 18, 1897,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

We concur in this report:

JOSEPH HILL, Chairman.

J. G. MEGLER.

GEO. H. BAKER.

AUGUSTUS HIGH.

JOHN WOODING.

E. HAMMER.

C. A. MANTZ.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 40, entitled "An act to provide for election of road district supervisors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments:

In line 2 of section 1 of the printed bill strike out the words "first Tuesday after the first" and insert the word "last" in lieu thereof. In

the same line strike out "November" and insert "October" in lieu thereof.

Respectfully submitted.

We concur in this report:

JOSEPH HILL, Chairman.

J. G. MEGLER,

G. H. BAKER,

AUGUSTUS HIGH,

JOHN WOODING,

E. HAMMER.

C. A. MANTZ.

On motion of Senator Mantz the bill was recommitted to the committee.

SENATE CHAMBER,

OLYMPIA, WASH., January 23, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bills for labor and supplies presented by H. S. Clyde, Frank Lanton, Con. Klinkerberg, E. B. Crisman, H. W. Prince and Edmund Prince, James Doherty, Bancroft-Whitney Co. and A. A. Jessup, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bills of H. S. Clyde, Frank Lanton, Con. Klinkerberg and E. B. Crisman, for seven hours labor, be reduced from \$3.50 each to \$2.10 each; that the bills of H. W. Prince and Edmund Prince, for ten hours labor, be reduced from \$5.00 each to \$3.00 each; that the bills of James Doherty for \$48, plastering and kalsomining; Bancroft-Whitney Co., for \$360, 36 sets Ballinger's Washington Code, and A. A. Jessup for 50 cents for hauling session laws to Senate, be allowed in full.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

A. HEMRICH,

W. H. PLUMMER.

On motion of Senator Keith the report was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 21, entitled "An act to amend section 3, chapter 69, of the Session Laws of 1893," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

JOSEPH HILL, Chairman.

J. G. MEGLER,

GEO H. BAKER,

AUGUSTUS HIGH.

JOHN WOODING.

E. HAMMER.

C. A. MANTZ.

On motion of Senator T. J. Miller the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 42, entitled "An act making appropriations for equipment and maintenance of the State Normal School at New Whatcom, and for the maintenance of the State Normal School at Ellensburg, and for the maintenance of the State Normal School at Cheney for the two years ending March 31, 1901," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report:

C. A. MANTZ.

HAROLD PRESTON.

MAJORITY REPORT OF JUDICIARY COMMITTEE.

To the Senate of the State of Washington:

We, the majority of your Judiciary Committee, to whom was referred the matter of the contest of W. C. Gray, for the seat of Senator C. A. Mantz, do respectfully report:

The matter of the contest came before your committee first on January 17th, 1899, at which hearing testimony was received on behalf of the contestant, and certain documentary evidence introduced, all of which is herewith returned as a part of this report.

Thereafter at a meeting of your committee, held for the purpose of further considering the said matter, the contestant, by his attorney, withdrew from his statement of contest, the allegations of the tenth paragraph thereof. The notice of contest is returned herewith, together with a motion made by contestee to quash the notice and statement of contest, and dismiss the contest on the ground of want of jurisdiction of the Senate or your committee to entertain the same, which motion was denied by your committee. A demurrer was also interposed by the contestee, which demurrer was overruled by your committee. Thereafter the contestee filed his answer to the statement of contest, which statement also is returned herewith.

Certain allegations contained in the statement of contest were admitted by the answer, and a majority of your committee have arrived at the conclusion following upon the bases of said admitted allegations. The admitted allegations are, briefly stated, the following:

Within the time provided by statute, the Secretary of State certified to the county auditor of Stevens county, the nomination of the contestee, and at the same time the nomination of the contestant. The certificate of the nomination of the contestant, so certified to by the Secretary of State to the county auditor, is as follows:

"It is also certified, that on the 6th day of October A. D., 1898, a petition was filed in this office, duly signed by more than three hundred electors of the Second Senatorial district, nominating for Joint Senator for said district, W. C. Gray, whose residence and postoffice address is Springdale, Washington, and whose occupation is farmer. Said nomination being made in the name of the "Citizens' Ticket."

Like certificates of nomination were certified to the county auditor of Spokane county, by the Secretary of State. The auditor of Spokane county duly published the names of both nominees in the official notice of nominations in his county.

The auditor of Stevens county duly published the name of the contestee as nominee for the office of joint senator, in the published notice of nominations in his county, but failed to publish in said list of nominations the name of the contestant as nominee for that office.

The auditor of Spokane county in his capacity as clerk of the board of county commissioners of that county, prepared in due season an official ballot for his county, and included therein both the name of the contestant and contestee as nominees for the office of joint senator.

The auditor of Stevens county in due season prepared an official ballot for his county and caused to be printed therein the name of the contestee as nominee for the office of joint senator, but failed to print or cause to be printed on said ballots, or any of them, the name of the contestant as nominee for said office.

The election was held upon the designated day, and the contestant received two hundred and sixty-six (266) votes in Spokane county, as against three hundred and sixty-four (364) votes cast in that county for contestee. The contestant received in Stevens county nine hundred and ninety-eight (998) votes as against nine hundred and ninety-nine (999) votes cast in that county for contestee, as shown by the official returns.

The vote cast in Stevens county for the contestant were evidenced by writing the candidate's name upon the ticket, or by pasting the same thereon.

These facts being conceded, the question arose with your committee : whether or not there had been an election in the senatorial district for the office of joint senator. The majority of your committee are of the opinion, and so report that:

1. The nomination of the contestant was so certified by the Secretary of State to the county auditor as to entitle the contestant to have his name published in the official notice of nominations in Stevens county, and so as to entitle the voters of Stevens county to have the name of the contestant published in the official notice of nominations.

2. The said certificate was sufficient to entitle the said contestant to have his name printed upon the official ballot of Stevens county as nominee for the office of joint senator, and so as to entitle the electors of that county to have the name of the contestee printed upon the official ballot of that county.

3. That it is essential to a fair election that the electors of the district be advised by the official method provided by the statutes of the name of each nominee, and no election can be regarded as a fair, full and honest election, unless a full opportunity of choice between the nominees, contemplated by statute, is substantially offered to the electors of the district.

4. The statute clearly provides that the electors of a given district shall be advised in advance of the election by a published official list of

the nominations for all offices which have been regularly certified to the proper officer for publication. The publishing of the official publication of nominations is to afford the electors opportunity of choice between the candidates; and any substantial deprivation of this opportunity of election of choice necessarily goes to the merits of the election and necessarily deprives the electors of the exercise of their right of election. This advance notification to the elector affords, and is intended to afford, him an opportunity to make such inquiry or investigation as to the candidates, and make such investigation in advance of the election day, as he may desire to make.

5. The law also clearly provides that the nominations of persons for office be printed upon the official ballot. Here again the rights of the body of electors are involved and directly affected by the statutory provision to the same intent and purpose, though in a different degree, as above stated in relation to the publishing of nominations.

6. The authorities and decided cases bearing upon the consideration to be given to the provisions of the "Australian ballot system," such as we have in Washington, while at variance as to particular provisions, agree upon the proposition that the provisions which bear upon the merits of the election are mandatory, all others directory. The authorities also agree that the failure to observe the mandatory provisions of the law defeats the election.

7. The majority of your committee are of the opinion that the official publication of nominations is a feature of the system which bears directly upon the merits of the election, and also that the printing upon the official ballots of the names of all candidates duly nominated, and whose names are duly certified, bear directly upon the merits of the election, and, therefore, the provision of the statute in these two respects are to be regarded as mandatory, and a failure to observe them or, at any rate, an utter disregard of them must be deemed to vitiate the election.

8. For this reason the majority of your committee are of the opinion, and so report, that the election in question is not a lawful election, and, therefore, there was no election in Stevens county for the office of joint senator, and Stevens county being so large a portion of the senatorial district, it follows that there was, in our judgment, no election in the senatorial district.

9. The majority of your committee, therefore, report that neither the contestant nor the contestee is entitled to a seat in your body; the contestee for the reason that there was no election; the contestant for the same reason, and for the additional reason had there been an election that he received a minority of the votes actually cast, as shown by the election returns.

10. Holding these views the committee has found it not necessary to make inquiry into the allegations contained in the ninth paragraph of the statement of contest whereby the contestee is charged with having encouraged and advised the auditor of Stevens county in his act of omitting the contestant's name from publication in the list of nominations

and from the official ballot. And the same is true of the further allegation contained in said ninth paragraph to the effect that the contestee, C. A. Mantz, was one of the prime movers in the scheme to prevent the election of any of the candidates of the "Citizens Ticket;" in other words, the committee has not inquired, nor is it advised of any fact going to support said allegations or either or any of them.

Respectfully submitted,

HARROLD PRESTON.

HERMAN D. CROW.

GEO. D. SCHOFIELD.

JOHN I. YEEND.

F. M. BAUM.

S. WARBURTON.

MINORITY REPORT.

With such investigation of the law as the undersigned, a minority of your committee, has been able to make, we are unable to concur in the report of the majority of the committee in some of the conclusions reached by them, for the reason that some, as such action would, in our opinion, tend to disfranchise a large number of legal voters of Stevens county, and would put into the hands of unscrupulous, designing and dishonest ministerial officers a weapon dangerous to the public welfare.

The law of the case, as found by a majority of your committee may be the law in this state; if so, the most important act that can be passed by this body is to so change the existing laws as to protect the individual voters so that honest elections can be had even in Stevens county which cannot be defeated by the fraud and connivance of designing political scoundrels, as seem to have been the custom from the record in this case, of the county auditor of Stevens county, John L. Metcalf.

We, ourselves, and we think our opinion is concurred in by all of the committee, believe that from the facts and records of this case produced on the part of both contestant and contestee, that a dastardly political outrage has been committed at the recent election in Stevens county, the result of a designing and unscrupulous public officer, without excuse, precedent or pretended authority trying to defeat the will of the people of a whole district by failing and utterly refusing to perform a plain ministerial duty, and we only regret that it is not within the power of this committee to deal with this high-handed, gigantic political robbery in the manner in which the facts seem to justify.

The record in this case shows, among other things, that the County Auditor premeditatedly, designedly, and with intent to defraud, refused to place the name of contestant, W. C. Gray, upon the official ballot, and also refused and failed to publish his name in the public prints, as required by law, intending by such method to prevent a fair election on the part of the voters to vote for one of the candidates placed before the people according to law, for joint Senator from Spokane and Stevens counties.

Such acts of skullduggery and official corruption should meet such a rebuke by this Legislature, and such laws should be passed at this ses-

sion, that no officer, no matter how saturated with immorality, dishonesty and political rottenness, would dare to practice their nefarious acts on the voters of this State.

There is no proof in this case, however, that Mr. Mantz either aided or abetted or even knew of the performance of the acts mentioned herein, but his loss of the office, if the same be decreed by the Senate, is a result of the unwarranted acts on the part of the County Auditor.

Respectfully submitted.

W. H. PLUMMER, Chairman,
JOHN H. CARPER.

Senator Crow moved that the reports be made a special order for Friday, at 11 A. M.

Senator Megler moved to amend, "that the time be changed to 2 o'clock P. M."

The amendment was carried and the motion prevailed.

On motion of Senator Plummer, the secretary was ordered to immediately transmit Senate bill No. 42 to the House.

INTRODUCTION OF BILLS.

Senate bill No. 94, by Senator LeCrone: An act providing for liens upon horses and other animals for the costs of shoeing the same.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 95, by Senator Hill: An act to provide for the establishment of a state road from Cora or Sulphur Springs, Lewis county, by way of the Cowlitz pass to a point on the Natchez river connecting with the wagon road at or near Cowiche, in Yakima county.

The bill was read the first time; and on motion of Senator Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 96, by Senator Hall: An act making appropriations for certain deficiencies of previous fiscal terms and for other purposes.

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 97, by Senator Keith: An act to provide for the payment of taxes for the owners of sleeping cars, drawing room cars and parlor cars.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title and referred to the Committee on Revenue and Taxation.

THIRD READING OF BILLS.

Senate bill No. 19, by Senator Hemrich: An act requiring horseshoers to pass civil service examination, was read the third time, and on motion of Senator Warburton was placed on its final passage and failed to pass by the following vote: Yeas 16, nays 14, absent or not voting 4.

Those voting yea were Senators Andrews, Baum, Biggs, Carper, Cole, Hammer, Hemrich, High, Land, LeCrone, Mantz, Megler, Plummer, Preston, Warburton and Wooding.

Those voting nay were Senators Baker, Crow, Davis, Hall, Hamilton, Hill, McReavy, Miller David, Miller T. J., Paul, Reinhart, Runner, Van Patten and Yeend.

Those absent or not voting were Senators Clapp, Keith, Schofield and Wilshire.

Senator T. J. Miller gave notice that at the proper time he would move to reconsider the vote whereby senate bill No. 19 failed to pass.

On motion of Senator Plummer, House joint resolution No. 8, memorializing Congress not to ratify the free importation of coal, lumber and shingles into the United States from the Dominion of Canada, was ordered printed.

Senate bill No. 42, by Senator Biggs: An act making appropriations for the State Normal Schools at New Whatcom, Ellensburg and Cheney, etc., was placed on its final passage and passed by the following vote: Yeas 29, nays 3, absent or not voting 2.

Those voting yea were Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Reinhart, Runner, Schofield, Van Patten, Warburton, and Yeend — 29.

Those voting nay were: Senators Land, Paul, and Preston—3.

Absent or not voting: Senators Davis, and Wilshire — 2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 25, 1899.

MR. PRESIDENT:

The House has passed House joint resolution No. 13, entitled "An act requesting senators from the State of Washington to ratify Treaty of Paris," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

RESOLUTION.

WHEREAS, There are numerous appropriation bills to be passed at this session, and

WHEREAS, It is desirable that the Senate should be advised as to the revenues of the State that will be raised to meet such appropriations: Therefore be it

Resolved, That the State Auditor be and he hereby is requested to furnish the Senate with the approximate amount of revenue that will be raised during the next biennial term that can be used to meet appropriations of this session.

On motion of Senator Schofield the resolution was adopted.

Senate concurrent resolution No. 7, by Senator T. J. Miller: Memorializing the congress of the United States to make provisions for submitting a constitutional amendment providing for the election of United States senators by direct vote of the people.

The resolution was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the resolution read the second time by title and referred to the Committee on Memorials.

On motion of Senator Plummer, the Senate adjourned to the House at 12 o'clock noon to meet in joint session.

President Daniels called the joint session to order at 12 o'clock noon.

The secretary called the roll of the Senate, all members being present except Senator Wilshire, who was excused.

The clerk called the roll of the House, all members being present except Boyce and Olson, who were excused.

The clerk of the House read the minutes of the joint session of yesterday relating to the ballot for United States Senator, which were approved.

The clerk called the roll on the sixteenth joint ballot for United States Senator, which resulted as follows:

SIXTEENTH JOINT BALLOT.

Levi Ankeny received eight votes.

Addison G. Foster received twenty-six votes.

Thomas J. Humes received twenty votes.

James Hamilton Lewis received twenty-five votes.

John L. Wilson received twenty-eight votes.

Thurston Daniels received one vote.

Robert Bridges received one vote.

Absent or not voting, three.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton and Wickersham.

Those voting for Thomas J. Humes were—Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Patterson, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilson, Wooding, Mr. Speaker.

Those voting for J. Hamilton Lewis were—Baum, Biggs, Bisson, Carper, Cole, Gerry, High, Hill, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, Welty and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, Witter.

Mr. Conway, voted for Thurston Daniels.

Senator Davis voted for Robert Bridges.

Those absent or not voting were: Boyce, Olson, Wilshire.

No candidate having received a majority of all votes cast, the president declared there was no election.

On motion of Senator Cole the joint session dissolved at 12:15 P. M.

President Daniels called the Senate to order at 12:25 P. M.

On motion of Senator Runner the secretary was instructed to order printed 250 copies of the numerical and subject index to Senate bills.

On motion of Senator Land the Senate adjourned at 12:35 P. M., until tomorrow at 10 o'clock A. M.

EIGHTEENTH DAY.**MORNING SESSION.**

SENATE CHAMBER.

OLYMPIA, WASHINGTON, Thursday, January, 26, 1899. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Baum who was excused.

The journal of yesterday was read and approved.

Joint Memorial No. 4, by Senator High: Memorializing Congress to aid American shipping and American producers of export agricultural products, was read the first time, and on motion of Senator Plummer the rules were suspended, the memorial read the second time by title and referred to the Committee on Memorials.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

The House has passed House Memorial No. 3, petitioning the United States Congress to appropriate \$20,000 to remove obstructions from Snake river; and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., January 26th, 1899.

MR. PRESIDENT:

Your Committee on Memorials to whom was referred resolution in regard to the United States and British Joint High Commissions, have had the same under consideration, and we respectfully report same back to the Senate, with the recommendation that the resolution do pass.

L. B. ANDREWS, Chairman.

On motion of Senator Baker the report was adopted.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 98, by Senator Preston: An act to provide for the incorporation and to regulate the business of corporative mining companies.

The bill was read the first time; and, on motion of Senator

Preston, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 99, by Senator T. J. Miller: An act for expediting the completion of the state capitol building, and for the reduction of the cost thereof by changing the original plans, providing for payment of interest and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill was read the second time by title and referred to the Committee on Public Buildings and Grounds.

Senate bill No. 100, by Senator Crow: An act to adopt Ballenger's Annotated Statutes and Codes of the State of Washington as the official code of this state, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 101, by Senator LeCrone: An act relating to drugs and medicines, the licensing of persons to compound, dispense, buy and sell the same in the State of Washington, defining crimes and misdemeanors and prescribing penalties in cases of violation thereof, repealing chapter 153 of the Session Laws of 1891, of Washington, being entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of Washington," approved March 9, 1891, and also repealing chapter 113 of the Session Laws of 1893 of Washington, being entitled "An act to amend," etc.

The bill was read the first time, and on motion of Senator LeCrone, the rules were suspended the bill was read the second time by title and referred to the Committee on Medicine, Dentistry, Hygiene and Surgery.

Pursuant to the rules as amended, the president appointed Senators Land and Preston additional members of the Committee on Appropriations.

Senator Baker moved that the Senate resolve itself into Committee of the Whole for the consideration of Senate bill No. 25.

Senator Megler moved to amend that the Senate, in Committee of the Whole, consider Senate bills Nos. 25, 29 and 39.

The amendment was carried and the motion prevailed.

The Senate went into Committee of the Whole, Senator Megler in the chair.

The president resumed the chair, and the following messages were read from the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 14, Relating to the employment of D. C. Conover as committee clerk for joint committee representing the State of Washington in conference with committee representing the State of Oregon.

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

The House has passed House bill No. 73, entitled "An act declaring bicycles to be baggage, and providing for the same by railroad corporations."

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

The Senate again went into committee of the whole, Senator Megler in the chair.

The president resumed the chair, and the following message was received from the House.

MESSAGE FROM THE HOUSE.

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

The speaker of the House has signed House memorial No. 1, House concurrent resolution No. 9, House concurrent resolution No. 10, and the same is herewith transmitted for the signature of the president of the Senate.

W. F. DILLON, Chief Clerk.

The Senate again went into committee of the whole, Senator Megler in the chair.

The president resumed the chair, and the committee reported back the recommendation that the committee do sit at another time for the consideration of unfinished business.

On motion of Senator T. J. Miller, the report of the committee was adopted.

The president signed House concurrent resolution No. 10: Relating to the death of Hon. John W. Feighan.

Also, House concurrent resolution No. 9: Authorizing the opppointment of a Joint Committee of the States of Oregon and Washington to confer together and recommend to their respective states identical legislation regarding the fishing interests of the Columbia river.

Also, House memorial No. 1: Relating to the death of the late Hon. A. A. Denny.

On motion of Senator Andrews, the Senate adjourned to the House at 12 o'clock M. to meet in joint session.

President Daniels called the joint session to order at 12 o'clock M.

The secretary of the Senate called the Senate roll call, all members being present except Senators Baum and Mantz, who were excused.

The clerk called the roll of the House, all members being present except Boyce, Gerry, Miller and Olson, who were excused.

The clerk read the minutes of yesterday relating to the joint ballot for United States Senator, which were approved.

The clerk called the roll for the seventeenth joint ballot for United States Senator, which resulted as follows:

SEVENTEENTH JOINT BALLOT.

Levi Ankeny received nine votes.

Addison G. Foster received twenty-five votes.

Thomas J. Humes received twenty votes.

James Hamilton Lewis received twenty-three votes.

John L. Wilson received twenty-eight votes.

Robert Bridges received one vote.

Absent six.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Patterson, Sims and, Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFol-

lette, Palmer, Parrish, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Biggs, Bisson, Carper, Cole, Davis, High, Hill, Johnston, Keith, Land, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, Welty, and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Minard, Mount, Myers, Rosenhaupt, Schofield, Scott, Sexton, Sinclair, Stockwell, and Witter.

Mr. Conway voted for Robert Bridges.

Those absent or not voting were: Baum, Boyce, Gerry, Mantz, Miller E. C., and Olson.

No candidate having received a majority of all votes cast, the president declared there was no election.

On motion of Mr. McDonald, the joint session dissolved at 12:15 P. M.

President Daniels called the Senate to order at 12:20 P. M.

On motion of Senator Warburton, the Senate adjourned at 12:25 P. M. until 10 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

NINETEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 27, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Mantz, who was excused.

The journal of yesterday was read and approved.

On motion of Senator Cole the special order set for 2 P. M. to-day, relating to the Grey vs. Mantz senatorial contest, was postponed until Monday at 2 P. M.

On motion of Senator Hammer Senate bill No. 28, by Senator Hammer, regulating the practice of barbering, was taken from the Committee on Medicine, Dentistry, Surgery and Hygiene and referred to the Committee on Labor and Labor Statistics.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We, a majority of your Committee on Memorials, to whom was referred Senate joint resolution No. 7, have had the same under consideration, and recommend that the following substitute do pass:

WHEREAS, The present method of electing United States senators is expensive, unsatisfactory and ruinous to the best interests of the people, and conducive to unnecessary delays in the passage of needful legislation; and

WHEREAS, Such senatorial contests should be conducted without the personal influence of senators whose terms of office have not expired, and also without the personal influence of any office holder in the said senator's interests; and

WHEREAS, We believe the will of the people can best be ascertained by a direct vote of the people: Now therefore, be it

Resolved, That the Senate of the State of Washington, the House concurring, do by memorial respectfully and earnestly urge the congress of the United States to make provisions for submitting a constitutional amendment providing for the election of United States senators by the direct vote of the people; and be it further

Resolved, That the President of the United States, the president of the Senate and the speaker of the House of Representatives be each sent one official copy of these resolutions; and be it further

Resolved, That one copy of these resolutions be sent to each of our senators and representatives in congress, and they be requested to use their influence to secure the object herein set forth.

Respectfully submitted.

J. C. VAN PATTEN,
S. D. REINHART.

MINORITY REPORT.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We, a minority of your Committee on Memorials, to whom was referred Senate concurrent resolution No. 7, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation to strike out all after the word "and" in the

third line down to the word "whereas" at the beginning of the tenth line, and that the resolution as amended do pass.

L. B. ANDREWS, Chairman.

Senator T. J. Miller moved the adoption of the majority report.

Senator Hamilton moved that the minority report be substituted for the majority report.

Senator Megler moved to lay on the table.

The roll was called on the motion of Senator Megler which was lost by the following vote: Yeas 13, nays 17, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Hall, Hamilton, Hemrich, Land, LeCrone, Megler, and Preston — 14.

Those voting nay were: Senators Carper, Davis, Hammer, High, Hill, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Wilshire, Wooding and Yeend — 16.

Absent or not voting were: Senators Keith, Mantz, Schofield, and Warburton — 4.

The substitute by Senator Hamilton was carried by the following vote: Yeas 19, nays 11, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, Land, LeCrone, Megler, Miller David, Paul, Preston, Warburton, Wilshire, and Wooding — 19.

Those voting nay were: Senators Carper, Cole, Davis, High, Hill, McReavy, Miller T. J., Reinhart, Runner, Van Patten, and Yeend — 11.

Absent or not voting were: Senators Keith, Mantz, Plummer, and Schofield — 4.

On motion of Senator Wilshire the minority report was adopted.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bills of O. F. Wood, locks and keys, \$4.25; M. O'Connor, stationery, \$4.36; and Light and Power Company of Olympia, \$165 for lighting capitol building during session of 1899, have had the same under considera-

tion, and we respectfully report the same back to the Senate, with the recommendation that they be paid in full.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

W. H. PLUMMER.

ANDREW HEMRICH.

J. A. DAVIS.

On motion of Senator Keith the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 114, entitled "An act for the relief of Captain Percy G. Maltbie, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the title of the bill be amended to read: "An act for the relief of Captain Percy G. Maltbie and Captain James Ross, and declaring an emergency," and that sections 2 and 8 of the bill be stricken, and the following substituted:

SEC. 2. That the sum of five hundred and twenty (\$520) be and the same is hereby appropriated out of the military fund of this state for the purpose of re-imbursing Captain James Ross for money actually and necessarily expended by him for the maintenance of the members of Company "A," independent battalion, Washington volunteer infantry, between the time of the enrollment of said company by the command of the Governor and the mustering of said company into the service of the United States, in the late war with Spain.

SEC. 3. The State Auditor is hereby authorized and directed to draw a military fund warrant for the sum of three hundred and eleven dollars and seventy cents (\$311.70) in favor of said Captain Percy G. Maltbie, and a military fund warrant for the sum of five hundred and twenty dollars (\$520) in favor of said Captain James Ross, on the Treasurer of the State of Washington; and said State Treasurer is hereby authorized and directed to pay said warrants out of the military fund of this state.

SEC. 4. An emergency exists and this act shall take effect immediately.

And that as so amended the bill do pass.

Respectfully submitted.

We concur in this report:

E. C. KEITH, Chairman.

W. H. PLUMMER.

ANDREW HEMRICH.

J. A. DAVIS.

On motion of Senator Keith, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the claim of the Provincial government of British Columbia against Washington Territory (now State), for the sum of \$2,700, expenses incurred in the apprehension and detention in 1874 of one Thomas Pierre, a fugitive from the Territory charged with murder, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted,

We concur in this report:

E. C. KEITH, Chairman.

ANDREW HEMRICH,

W. H. PLUMMER,

J. A. DAVIS.

On motion of Senator Hall, the report was referred back to the committee.

On motion of Senator Preston, the claim was ordered printed.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 11, entitled "An act relating to the competency of jurors," beg leave to report same to the Senate with the recommendation that it do pass as amended, to wit:

Strike out the title, and insert the following as a title to the act: "An act to amend section 55 of volume 2 of Hill's Codes of Washington, relating to the competency of jurors."

Amend section 1, line 1, by striking out the words "annotated" and the words "and statutes."

In subdivision 2, strike out the word "an" and insert the words "a male."

In subdivision 5, strike out the words "he shall be," and the words "his qualifications in this respect to be determined by the trial judge."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report:

F. M. BAUM,

JOHN I. YEEND,

HERMAN D. CROW,

JOHN H. CARPER,

HAROLD PRESTON.

On motion of Senator Plummer, the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We your Committee on Judiciary to whom was referred Senate bill No. 22, entitled: "An act to establish the legal rate of interest in the State of Washington, and to prevent usury," beg leave to report same to the Senate, with the recommendation that it do pass as amended, to-wit:

Amend section 2, line 1, by striking out the word "twelve" and inserting the word "ten."

Strike out the word "twelve" in line four and insert the word "ten."

Amend section four line one, after the word judgments insert the words "hereafter rendered."

In line two after the word contracts add the words "not in any case, however, to exceed ten per cent per annum."

Amend section six by inserting after the word affecting, in line 1, the following words, "previous to entry of judgment thereon."

Amend said section by striking out all of said section after the word "act" in line two.

Amend section VII by adding thereto after the word repealed, the

following words "provided, however, that the repeal thereof shall not affect any existing contract."

Respectfully submitted,

W. H. PLUMMER, Chairman.
JOHN I. YEEND,
HAROLD PRESTON,
HERMAN D. CROW,
F. M. BAUM,
JOHN H. CARPER.

On motion of Senator Plummer the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 10, entitled "An act to amend an act entitled 'An act for the protection of game animals and birds and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, defining their duties, fixing their compensation, and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington,' approved March 11, 1897," beg leave to report same to the Senate with the recommendation that it do pass as amended, to wit:

After the figures "1897" in the title, add the words "and declaring an emergency."

Amend section one in line 2 so that the same shall read "and birds and song birds."

Strike out the word "any" in line 10.

Strike out, in line 10, the words "15th day," and in line 11 the words "of February" and insert therein the words "1st day of March."

Respectfully submitted.

W. H. PLUMMER, Chairman.
HAROLD PRESTON,
F. M. BAUM,
JOHN I. YEEND,
HERMAN D. CROW,
JOHN H. CARPER,

On motion of Senator Baum the report was adopted.

OLYMPIA, January 26th, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 16, entitled "An act to establish the rate of interest on state warrants," beg leave to report the same to the Senate, with the recommendation that it be indefinitely postponed, for the reason that the matter in said bill has been incorporated in Senate bill No. 22.

Respectfully submitted,

We concur in this report:

W. H. PLUMMER, Chairman.
F. M. BAUM.
JOHN I. YEEND,
HERMAN D. CROW.
JOHN CARPER.
HAROLD PRESTON.

On motion of Senator Plummer, the report was adopted.

On motion of Senator Warburton, the Senate resolved itself into a Committee of the Whole for the consideration of House bill No. 114, by Mr. Pendergast, for the relief of Captain Percy G. Maltbie, and Captain James Ross, and declaring an emergency.

The bill was considered in the committee and reported back with the recommendation that the bill do pass.

On motion of Senator Keith, the recommendation of the committee was adopted.

Senator Keith moved that the bill be placed on its final passage.

The motion prevailed.

The bill was read the third time, and passed by the following vote: Yeas 31, nays 1, absent or not voting 2.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 31.

Senator Hall voted nay.

Absent or not voting: Senators Baker and Mantz—3.

The emergency clause passed by the following vote: Yeas 33, nays none, absent or not voting 1.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 33.

Absent or not voting: Senator Mantz — 1.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Keith the rules were suspended and the bill immediately transmitted to the House.

The following message was received from the House:

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 27, 1899.

MR. PRESIDENT:

The House has passed House joint resolution No. 12, petitioning the United States Congress for the passage of a bill to promote the com-

merce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports and steamers for government use when necessary, and the same is herewith transmitted.

W. F. DILLON, Chief clerk.

THIRD READING OF BILLS.

On motion of Senator Plummer, Senate bill No. 10, by Senator Cole: An act to amend an act entitled, "An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game warden's, defining their duties, fixing their compensation and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington," approved March 11, 1897, was placed on its final passage.

The secretary read the bill by sections.

Senator Davis moved to amend by striking the words "is hereby declared to," and add "s" to "exist" in line 1, Section 2, of the printed bill. The motion prevailed.

The bill then passed by the following vote: Yeas 27, nays 2, absent and not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Miller T. J., Paul, Plummer, Preston, Runner, Schofield Van Patten, Warburton, and Yeend—27.

Those voting nay were: Senators Hall, and Reinhart—2.

Those absent or not voting were: Senators Mantz, Megler, Miller David, Wilshire, and Wooding—5.

The emergency clause passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, and Yeend—29.

Senator Reinhart voted nay.

Absent or not voting were: Senators Mantz, Megler, Wilshire, and Wooding—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer the rules were suspended and the bill ordered immediately transmitted to the House.

On motion of Senator T. J. Miller the vote by which Senate bill No. 19 failed to pass was reconsidered.

On motion of Senator T. J. Miller the bill was recommitted to the Committee on Labor and Labor Statistics.

On motion of Senator Warburton the Senate adjourned at 12 M. to the House to meet in joint session.

JOINT SESSION.

President Daniels called the joint session to order at 12:05 P. M.

The secretary of the Senate called the Senate roll, all members being present except Senators Mantz and Runner, who were excused.

The clerk called the roll of the House, all members being present except Messrs. Boyce and Olson, who were excused.

The clerk read the minutes of yesterday, relating to the joint ballot for United States senator, which were approved.

The clerk called the roll for the eighteenth joint ballot for United States senator, which resulted as follows:

EIGHTEENTH JOINT BALLOT.

Levi Ankeny received ten votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-six votes.

Robert Bridges received one vote.

Absent, four.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Patterson, Schofield, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Minard, Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette,

Palmer, Parrish, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Davis, Gerry, High, Hill, Johnston, Keith, Land, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Van Patten, Welty, and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Mount, Myers, Rosenhaupt, Scott, Sexton, Sinclair, Stockwell, and Witter.

Mr. Conway voted for Robert Bridges.

Those absent or not voting were: Boyce, Mantz, Olson, and Runner.

No candidate having received a majority of the votes cast, the president declared there was no election.

The clerk called the roll for the nineteenth joint ballot for United States senator, which resulted as follows :

NINETEENTH JOINT BALLOT.

Levi Ankeny received ten votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received twenty votes.

James Hamilton Lewis received twenty-four votes.

John L. Wilson received twenty-six votes.

Robert Bridges received one vote.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Patterson, Schofield, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Minard, Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Palmer, Parrish, Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Davis, Gerry, High, Hill, Johnston,

Keith, Land, McDonald, McReavy, Miller David, Miller T. J., Moore, Paul, Pendergast, Plummer, Reinhart, Van Patten, Welty, and Yeend.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Dorsey, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Mount, Myers, Rosenhaupt, Scott, Sexton, Sinclair, Stockwell, and Witter.

Mr. Conway voted for Robert Bridges.

Those absent or not voting were: Boyce, Mantz, Olson, and Runner.

No candidate having received a majority of the votes cast, the president declared there was no election.

On motion of Senator David Miller, the joint session dissolved at 12:20 P. M.

President Daniels called the Senate to order at 12:25 P. M.

A motion by Senator Plummer, that when the Senate adjourn it be until 10 A. M. to-morrow, was carried.

The following message was received from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 28, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Wash.:

SIR:—I have the honor to inform you that the Governor has this day signed Senate concurrent resolutions numbers 3 and 4, relating to the death of Senators Houghton and Pusey.

Very respectfully,

J. H. PELLETIER,
Governor's Private Secretary.

House concurrent resolution No. 13. requesting senators from the State of Washington to ratify Treaty of Paris.

The resolution was read the first time; and, on motion of Senator High, the rules were suspended, resolution read second time, and referred to Committee on Memorials.

House concurrent resolution No. 12: Memorial to United States Senate and Representatives.

Resolution was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, resolution read the second time by title, and referred to Committee on Memorials.

House memorial No. 3: Petitioning United States congress to appropriate twenty thousand dollars to remove obstructions from Snake river.

Memorial read the first time; and, on motion of Senator Keith,

rules were suspended, the memorial read second time by title, and referred to Committee on Memorials.

House bill No. 73, by Mr. Smith: An act declaring bicycles to be baggage and providing for the carrying of the same by railroad corporations.

Bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read second time by title, and referred to Committee on Railroads and Transportation.

Senate bill No. 102, by Senator Cole (by request): An act for the appropriation of money to defray the expenses of public printing.

Bill read first time; and, on motion of Senator Cole the rules were suspended, bill read the second time by title and referred to the Committee on Printing.

Senate bill No. 103, by Senator High (by request): An act governing the instruction of jurors by the judges of the superior courts of the State of Washington.

Bill read first time; and, on motion of Senator High the rules were suspended, the bill read second time by title and referred to the Committee on Judiciary.

Senate bill No. 104, by Senator Megler: An act to amend an act entitled "An act relating to the maintenance, repairs and renewal of sidewalks in cities of the first, second and third-classes and providing payment therefor by the owners of abutting property, and declaring an emergency," approved March 21, 1895.

Bill read the first time; and, on motion of Senator Megler the rules were suspended, the bill read the second time by title and referred to Committee on Municipal Corporations.

Senate bill No. 105, by Senator High: An act concerning the Washington School for Defective Youth, providing for constructing a sewer and supplying water to said institution and the right to condemn a right-of-way for said purpose, making an appropriation therefor and declaring an emergency.

The bill was read the first time; and, on motion of Senator High the rules were suspended, bill read the second time by title and referred to Committee on Appropriations.

Senate bill No. 106, by Senator Biggs: An act relating to foreign corporations and imposing a penalty and repealing conflicting laws.

The bill was read the first time; and, on motion of Senator

Biggs the rules were suspended, the bill read the second time by title and referred to Committee on Judiciary.

Senate bill No. 107, by Senator Hemrich: An act appropriating seven thousand, four hundred dollars for the relief of W. E. Boone for balance due for preparing plans and specifications for the main University building of the State of Washington.

The bill was read the first time; and, on motion of Senator Hemrich the rules were suspended, the bill read the second time by title and referred to Committee on Claims and Auditing.

On motion of Senator Megler, House Concurrent Resolution No. 14, relating to the designation of D. C. Conover, clerk of the Fisheries Committee of the House, as clerk of the Joint Committee, representing the State of Washington on the Joint Committee of the states of Oregon and Washington, on the fisheries interests of the Columbia river, was adopted.

On motion of Senator Plummer the Senate adjourned at 12:40 P. M., until 10 A. M., to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, January 28, 1899. }
11 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators David Miller and Plummer who were excused.

The journal of yesterday was read and approved.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 27, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 95, entitled "An act to provide for the establishment of

a state road from Cora or Sulphur Springs, Lewis county, by way of the Cowlitz Pass, to a point on the Natchez river, connecting with the wagon road at or near Cowiche, in Yakima county," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended.

Add to section 16, "*Provided*, That all bills for salaries and expense of said board shall be duly certified to by oath or affirmation by said board before a notary public or other person having a seal of record.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report :

AUGUSTUS HIGH.

E. HAMMER.

J. G. MEGLER.

On motion of Senator Hill, the report was adopted.

OLYMPIA, WASH., January 27, 1899.

MR. PRESIDENT :

We, your Committee on Labor and Labor Statistics, to whom was re-committed Senate bill No. 19, entitled, "An act requiring horseshoers to pass civil service examination," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendations that sections 3 and 4 be stricken and the following substituted :

SEC. 3. Any person who at the time of the passage of this act is practicing as a master or journeyman horseshoer in this state may register within sixty (60) days after the passage of this act upon making and filing with the clerk of the city in which he practices an affidavit stating that he was practicing horseshoeing at the time of the passage of this act, and such registration shall exempt him from the provisions of this act requiring an examination. No person shall be entitled to register as a master or journeyman horseshoer without presenting a certificate of satisfactory examination from a board of examiners as provided for in section 5 of this act, and whose qualifications for examination shall be that he has served an apprenticeship at horseshoeing for at least three years: *Provided*, That this section shall not be so construed as to prohibit any person who has made application for examination to practice horseshoeing under the direct supervision of a person who has passed such examination, while the board of examiners is acting upon or deferring action upon such application.

Your committee further recommends that sections 5, 6 and 7 be numbered respectively 4, 5 and 6, and as so amended the bill do pass.

Respectfully submitted,

PAUL LAND, Chairman.

THOS. J. MILLER,

E. HAMMER.

On motion of Senator Warburton the report was accepted and the bill placed on file.

OLYMPIA, WASH., January 28, 1899.

MR. PRESIDENT :

We, your Committee on Fisheries to whom was referred Senate bill No. 13, entitled "An act to establish an experiment station for the propagation of Eastern oysters in the waters of Willapa Harbor, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with a

substitute bill and recommend that said substitute bill be printed and placed on the calendar for favorable action.

Respectfully submitted.

We concur in this report:

JOHN McREAVY, Chairman.

J. G. MEGLER.

GEO. H. BAKER.

D. E. BIGGS.

GEO. D. SCHOFIELD.

AUGUSTUS HIGH.

J. A. DAVIS.

On motion of Senator High the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 27, 1899.

MR. PRESIDENT :

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 78, entitled "An act concerning the coal mine inspection, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the title of the bill be amended to read : "An act authorizing the coal mine inspector to appoint deputies in cases of emergency," and declaring an emergency ; and that in section 2 the words : "is declared to" be stricken and the letter "s" be added to the word "exist," same section; and as so amended the bill do pass.

Respectfully submitted.

We concur in this report:

PAUL LAND, Chairman.

THOS. J. MILLER.

E. HAMMER.

On motion of Senator Cole the report was accepted and the bill placed on file.

OLYMPIA, WASH., January 27, 1899.

MR. PRESIDENT :

We, your Committee on State Charitable Institutions, to whom was referred Senate bill No. 75, entitled, "An act amending sections 2570, 2580, 2589, Ballinger's Annotated Statutes and Codes of Washington," relating to the School for Defective Youth, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that wherever reference is made therein to Ballinger's Code, corresponding sections of Hill's Code be substituted as follows :

In section 1, line 1 and 2, change section 2570, Ballinger's Code, to section 993, vol. 1, Hill's Code. In line 9, change sections 2581, Ballinger's Code, to 1084 Hill's Code. In section 2, line 1 and 2 of the printed bill, change section 2583, Ballinger's Code, to 1006, Hill's Code. In section 3, line 1 and 2 of the printed bill, change sections 2589, Ballinger's Code, to 1016, Hill's Code, and that with these changes the said bill be recommended for passage.

Respectfully submitted,

We concur in this report :

S. M. LECRONE, Chairman.

D. E. BIGGS.

AUGUSTUS HIGH.

W. E. RUNNER.

E. C. KEITH.

On motion of Senator LeCrone, the report was accepted and the bill placed on file.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 108, by Senator Preston (by request): An act for the reformation of criminals and providing for employment of those leaving the prison of the State of Washington, and the granting of paroles to prisoners.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 109, by Senator Mantz: An act amending an act entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," approved March 21, 1895, and repealing section 1638 of volume 1 of William Lair Hill's General Statutes and Codes of the State of Washington, in relation to the organization of educational, religious and benevolent corporations, together with an act amendatory thereof entitled "An act in relation to corporations and to amend sections 2450 of the Code of Washington of 1881, the same being section 1638 of volume 1 of Hill's Annotated Statutes and Codes of Washington," approved March 20, 1895, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended and the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 110, by Senator Land: An act in relation to legal holidays.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended and the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 111, by Senator Mantz: An act relating to fees to be collected by the Secretary of State and repealing an act entitled "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state and declaring an emergency," approved March 13, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator

Mantz, the rules were suspended, the bill read the second time by title and referred to the Committee on Corporations other than Municipal.

Senator Keith moved that Senate bills Nos. 25, 29 and 39 be made a special order for next Tuesday at 2:00 P. M.

Senator Megler moved to amend by adding Senate bill No. 95.

The amendment was carried and the motion prevailed.

Senate bill No. 11, by Senator T. J. Miller, relating to competency of jurors, was called and read by sections.

Senator Mantz moved to amend by striking all of paragraph 2, section 1, after the word "returned."

The amendment was lost.

On motion of Senator Megler the bill was recommitted to the Engrossing Committee.

The following messages were received from the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 28, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 114, entitled "An act for the relief of Capt. Percy G. Maltbie and Capt. James Ross, and declaring an emergency," and the same is transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

OLYMPIA, WASH., January 28, 1899.

MR. PRESIDENT:

The House has passed House bill No. 150, entitled "An act relating to the serving and filing of papers in proceedings in the courts of this state;" and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

OLYMPIA, WASH., January 28, 1899.

MR. PRESIDENT:

The House has passed House bill No. 45, entitled "An act amending section 1 of an act entitled an act relating to and authorizing the collection of assessments for local improvements by a new assessment or reassessment of the cost and expenses of making same in cities and towns and declaring an emergency, approved March 9, 1893, and declaring an emergency." An the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

OLYMPIA, WASH., January 24, 1899.

MR. PRESIDENT:

The House has passed House Concurrent Resolution No. 1 entitled "greetings to President McKinley," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

On motion of Senator T. J. Miller, Senate bill No. 21, by Senator T. J. Miller, to amend section 3, chapter 69, of the Session Laws of 1893, was recommitted to the Committee on Roads and Bridges.

Senate bill No. 22, by Senator T. J. Miller, to establish the legal rate of interest in the State of Washington, and to prevent usury, was read by sections.

Senator Warburton moved to amend by striking the word "ten" and inserting the word "twelve" in lines 1 and 4, section 2.

The motion was lost by the following vote: Yeas 12, nays 18, absent or not voting 4.

Those voting yea were: Senators Clapp, Hall, Hamilton, Hammer, Hemrich, LeCrone, Megler, Paul, Van Patten, Warburton, Wilshire, and Wooding — 12.

Those voting nay were: Senators Baum, Biggs, Carper, Cole, Crow, Davis, High, Hill, Keith, Land, Mantz, McReavy, Miller T. J., Preston, Reinhart, Runner, Schofield, and Yeend — 18.

Absent or not voting: Senators Andrews, Baker, Miller David, and Plummer — 4.

Senator Reinhart moved to amend by striking the word "six" in line 3, section 3, and inserting the word "five" instead.

The motion was lost.

Senator Warburton moved to recommit the bill to the Committee on Judiciary.

Senator Wilshire moved to amend by substituting Committee on Municipal Corporations for Committee on Judiciary.

The amendment was lost.

The question recurring on the original motion, it was declared lost.

Senator Cole moved to amend by adding after the word state in line 1, section 3, the words "warrants shall bear interest at a rate not greater than five percentum per annum, and all."

By consent of Senator Cole, Senator Schofield moved to amend by adding the words "all state warrants shall bear interest at a rate not greater than five per centum per annum, unless a less rate of interest be specified therein," to be numbered as section 3, and striking the word "state" in line 1 of section 3, and numbering the sections to conform to the amendment.

The amendment was carried.

Senator Baker was excused until Monday.

On motion of Senator Warburton, further action on the bill was postponed, and the bill referred to the Committee on Engrossed Bills.

The president signed House bill No. 114, for the relief of Captain Percy G. Maltbie and Captain James Ross.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 28, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 10, entitled "An act for the protection of game animals and birds, etc., and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 28, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 11, entitled "An act to amend section 55 of volume 2 of Hill's Codes of Washington, relating to the competency of jurors," have had the same properly engrossed.

Respectfully submitted.

We concur in this report:

J. G. MEGLER, Chairman.

HAROLD PRESTON,

C. A. MANTZ.

Senate bill No. 11, by Senator T. J. Miller, relating to the competency of jurors, was read the third time and passed by the following vote: Yeas 31, absent or not voting, 3.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 31.

Absent or not voting were: Senators Baker, Miller David, and Plummer — 3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 78, making appropriations for deficiencies in appropriations for transportation of convicts, transportation of juvenile offenders, and traveling expenses of superior judges, for

the fiscal period beginning April 1st, 1897, and ending March 31, 1899, was read the third time and passed by the following vote: Yeas 31, absent or not voting 3.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—31.

Absent or not voting were: Senators Baker, Miller David, and Plummer—3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton the Senate adjourned to the House at 12 o'clock M. to meet in joint session.

JOINT SESSION.

President Daniels called the joint session to order at 12 M.

The secretary of the Senate called the roll of the Senate, all members being present except Senators Baker, David Miller, Plummer, and Yeend, who were excused.

The clerk called the roll of the House, all members being present except Messrs. Boyce, Johnston, McDonald, Olson, and Welty.

The clerk read the minutes of yesterday, relating to the joint ballot for United States senator, which were approved.

The clerk called the roll for the twentieth joint ballot for United States senator, which resulted as follows:

TWENTIETH JOINT BALLOT.

Levi Ankeny received ten votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received nineteen votes.

James Hamilton Lewis received twenty votes.

John L. Wilson received twenty-six votes.

Robert Bridges received one vote.

Absent nine.

Those voting for Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Patterson, Schofield, and Sims.

Those voting for Addison G. Foster were: Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dorsey, Dickson, Frye,

Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Minard, Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Eames, Gleason, Hemrich, LaFollette, Parrish, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding and Mr. Speaker.

Those voting for James Hamilton Lewis were: Baum, Biggs, Bisson, Carper, Cole, Gerry, High, Hill, Keith, Land, Mantz, McReavy, Miller T. J., Moore, Paul, Pendergast, Reinhart, Runner, and Van Patten.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Mount, Myers, Palmer, Rosenhaupt, Scott, Sexton, Sinclair, Stockwell and Witter.

Mr. Conway voted for Mr. Bridges.

Those absent or not voting were: Baker, Boyce, Davis, Johnston, McDonald, Miller David, Olson, Plummer, Welty, and Yeend.

No candidate having received a majority of all votes cast, the president declared there was no election.

On motion of Senator Keith the joint session dissolved at 12:15 P. M.

President Daniels called the Senate to order at 12:20 P. M.

On motion of Senator Yeend, the Senate adjourned at 12:25 P. M., until Monday, January 30, at 11 A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-SECOND DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday January 30, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Hill, Paul, Plummer and Van Patten, who were excused.

On motion of Senator Wooding, the reading of the journal was dispensed with, and approved.

**REPORT OF THE SPECIAL COMMITTEE ON CONCURRENT
LEGISLATION IN OREGON AND WASHINGTON RELATING
TO FISHING INTERESTS OF THE COLUMBIA RIVER.**

OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

Your special committee appointed to confer with a like committee from the Oregon Legislature on uniform and concurrent legislation of the two states relative to the fishing interests of the Columbia River, respectfully report herewith the joint report of said committees, and recommend its adoption.

J. G. MEGLER,
JOHN MCREAVY,
On behalf of the Senate.
WM. M. COLWELL,
L. M. SIMS,
W. BYRON DANIELS,
On behalf of the House.

The undersigned members of the joint committees of the Legislatures of Oregon and Washington appointed to confer and agree upon concurrent and uniform laws of the two states relative to the fishing interests of the Columbia river, met at Tacoma, Washington, on Saturday the 28, day of January, 1899, and have agreed to submit to our respective Legislatures and recommend the adoption of the following:

First. That the close season of the two states be uniform as follows: From 12 o'clock noon March 1st to twelve o'clock noon April 15th, and from twelve o'clock noon August 10th to twelve o'clock noon September 10th.

Second. That the annual license for gill nets be two dollars and fifty cents, together with a license of one dollar on the boat puller, and a license of one dollar on the captain or owner of such boat.

Third. That the annual license for set nets be two dollars and fifty cents.

Fourth. That the laws of the two states as to sturgeon lines be made uniform by adopting the Oregon law in Washington.

Fifth. That there be no Sunday closing law in either state.

Sixth. That a joint commission of the two states be appointed to survey the boundary in the lower Columbia River where the same is in doubt or dispute, and to report to the next succeeding sessions of the respective legislatures of the two states.

Respectfully submitted,

A. W. REED, Chairman Senate Committee.
B. DALY,
GEO. T. MYERS, Chairman House Committee.
S. FARRELL,
C. J. CURTIS,

For the Oregon Legislative Committee.

J. G. MEGLER, Chairman Senate Committee.
JOHN MCREAVY,
WM. M. COLWELL, Chairman House Committee.
L. M. SIMS,
W. BYRON DANIELS,
For the Washington Legislative Committee.

On motion of Senator Megler the report was received, the committee discharged and the report referred to the Committee on Fisheries.

INTRODUCTION AND READING OF BILLS.

House concurrent resolution No. 1, Greeting to President McKinley, was read the first time; and, on motion of Senator Keith the rules were suspended, the resolution read the second time by title and referred to the Committee on Memorials.

House bill No. 45: An act amending section 1 of an act entitled "An act relating to and authorizing the collection of assessments for local improvements by a new assessment or reassessment of the costs and expense of making same in cities and towns and declaring an emergency, approved March 9, 1893," and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith the rules were suspended, the bill read the second time by title and referred to the Committee on Municipal Corporations.

House bill No. 150: An act relating to the serving and filing of papers in proceedings in the courts of this state.

The bill was read the first time; and, on motion of Senator Keith the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 112, by Senator Wilshire: An act to amend

section 2 of an act entitled "An act relating to justices of the peace, and constables in cities having more than 5000 inhabitants, and fixing their number and salaries," approved March 13, 1897.

The bill was read the first time; and, on motion of Senator Wilshire the rules were suspended, the bill read the second time by title and referred to the Committee on Municipal Corporations.

On motion of Senator Cole the Senate concurred in House amendment to Senate bill No. 10, by Senator Cole entitled "An act to amend an act entitled 'An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, defining their duties, fixing their compensation and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington,' approved March 11, 1897, and declaring an emergency."

The amendment was as follows: After the word amend in the title add "section 8."

Senate bill No. 19, by Senator Hemrich, requiring horseshoers to pass civil service examination, was read as amended by the Committee, and on motion of Senator Megler, the amendment was adopted.

On motion of Senator Preston the bill as amended was ordered printed.

Senate bill No. 22, by Senator T. J. Miller, to establish the legal rate of interest in the State of Washington and to prevent usury, was read by sections.

Senator Preston moved to amend section 8 by striking therefrom the words "Chapter one hundred and thirty-six of the Session Laws of 1895," and insert instead thereof the words "The act of the legislature entitled 'An act to establish the legal rate of interest in the State of Washington, and to prevent usury,' approved March 20, 1895."

The amendment was carried.

Senator Preston moved to amend section 6 by adding the word "person" in line 10, the words "provided however, that no

corporation shall hereafter interpose the defense of usury in any action."

The amendment was lost.

Senator Preston moved that the bill be recommitted to the Judiciary Committee.

On motion of Senator Andrews the Senate adjourned at 12 M. to the house to meet in joint session.

President Daniels called the joint session to order at 12:05 P. M.

The secretary of the Senate called the Senate roll, all members being present except Senators Hill, Paul, Plummer, and Van Patten, who were excused.

The clerk of the House called the roll of the House, all members being present except Bisson, Boyce, Gerry, and Olson, who were excused.

On motion, the reading of the minutes of Saturday relating to the joint ballot for United States senator, was dispensed with, and the same be approved.

The clerk called the roll for the twenty-first joint ballot for United States senator, which resulted as follows:

TWENTY-FIRST JOINT BALLOT.

Levi Ankeny received ten votes.

Addison G. Foster received twenty-eight votes.

Thomas J. Humes received eighteen votes.

James Hamilton Lewis received one vote.

John L. Wilson received twenty-seven votes.

W. E. Richardson received nineteen votes.

Robert Bridges received one vote.

Absent or not voting, eight.

Those voting for Levi Ankeny were: Baldwin, Copeland, Daniels, Field, Gose, Jerard, Patterson, Schofield, Sims, and Totten.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Clapp, Corey, Dorsey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Minard, Mutty, Parker, Sharp, Sheller, Stewart, Stocking, Warburton, and Wickersham.

Those voting for Thomas J. Humes were: Allen Wilford, Andrews, Carpenter, Clark, Gleason, Hemrich, LaFollette, Parrish,

Pratt, Preston, Smith, Somerindyke, Thacker, White, Wilshire, Wilson, Wooding, and Mr. Speaker.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Eames, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, McLean, Megler, Mount, Myers, Palmer, Rosenhaupt, Scott, Sexton, Sinclair, Stockwell, and Witter.

Those voting for W. E. Richardson were: Baum, Biggs, Carper, Cole, Davis, High, Johnston, Keith, Land, Mantz, McDonald, McReavy, Miller David, Miller T. J., Moore, Pendergast Reinhart, Runner, and Yeend.

Mr. Conway voted for Mr. Bridges.

Mr. Welty voted for James Hamilton Lewis.

Those absent or not voting were: Bisson, Boyce, Gerry, Hill, Olson, Paul, Plummer and Van Patten—8.

No candidate having received a majority of all the votes, the president declared there was no election.

On motion of Mr. McDonald the joint session dissolved at 12:20 P. M.

President Daniels called the Senate to order at 12:25 P. M.

On motion of Senator Keith the Senate adjourned at 12:30 P. M. until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Clapp, Paul and Wooding, who were excused.

Senator Baum moved that the Senate resolve itself into a committee of the whole for the consideration of the Gray vs. Mantz Senatorial contest.

The motion prevailed.

Senator Keith moved that attorneys for contestant and contestee be allowed the floor of the Senate.

Senator David Miller moved to amend that the attorneys be excluded from the floor of the Senate.

The amendment was lost.

The question recurring on the original motion it was declared carried.

The Senate went into a committee of the whole, Senator T. J. Miller in the chair.

The president resumed the chair, and the following messages were received from the House:

• MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 54, entitled "An act making an appropriation to continue the operation of the state salmon hatcheries," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

The House has passed House bill No. 50, entitled "An act for the protection of orphans, homeless, neglected and abused children and conferring powers upon judges of the superior court, the county commissioners and charitable societies, to receive, control and dispose of the same, and declaring an emergency," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

The House has passed House bill No. 113, entitled "An act to amend section 132 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

The House has passed House bill No. 40, entitled "An act to amend section 2 of an act entitled 'An act authorizing cities, towns and counties to purchase construct and maintain ferries, approved March 20, 1895,' and declaring an emergency," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

The speaker of the House has signed House concurrent resolution No. 14, entitled "An act relating to providing a clerk for the joint conference committee of the states of Oregon and Washington," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

On motion of Senator Crow the sergeant-at-arms was instructed to procure from the Secretary of State, Supreme Court Reports and other law volumes for the use of the attorney of the contestant.

Senator Land moved that the Senate do now adjourn until 10 A. M. tomorrow.

The motion was lost.

The Senate again went into committee of the whole, Senator T. J. Miller in the chair.

The President resumed the chair and the committee reported back, requesting that they be allowed to sit tomorrow at 2 P. M. to consider unfinished business.

On motion of Senator Megler the request of the committee was granted and the special order set for tomorrow at 2 P. M. was postponed until Wednesday at 2 P. M.

Senator Keith offered the following resolution :

Resolved, That in view of the importance of obtaining a harmonious construction of our election laws by all branches of the state government, and the inadequate time and opportunity at the command of senators for a proper investigation of the important legal questions involved in the election contest now pending in the Senate, that the Senate respectfully submits to the Supreme Court, for an advisory opinion thereon, the following propositions :

1st. Will the wrongful and willful omission of one candidate's name from the election notice and the official ballot in the election precincts composing two-thirds of a senatorial district, another candidate for the same office having received a majority of the vote, and being without fault in any way, render the election void ?

2d. In the event of a senatorial election being void without any fault upon the part of the electors, in the precincts having two-thirds of the votes, the election in the other precincts being regular, will this make the whole election void under the law of this state ?

3d. If a candidate for senator whose name is wrongfully kept off the election notice and official ballot in precincts representing two-thirds of the votes in the senatorial district, fails to take steps to cause his name to be placed on the ballots, will this be a waiver of such defect, and would such an election be valid ? And what would the rule be if he only had, say six days within which to do this ?

4th. If the name of a candidate for State Senator was wrongfully kept off the election notice and official ballot in precincts representing about two-thirds of the votes in the district, but said candidate did submit his name to the electors and was voted for by means of people writing his name on the ballot as permitted by law, and all the voters voting at said election in said precinct, with the exception of forty-one, having voted for Senator, nine hundred and ninety-eight of them having voted for

said candidate by means of stickers and nine hundred and ninety-nine having voted for his opponent whose name was regularly on the ballot, and in the other precincts in the district (where the names of both candidates were on the ticket) his opponent had ninety-six majority, under a proper construction of the law in this state would this election be valid or vain?

5th. Is the English or strict construction of the election law the proper rule of construction in this state?

And further resolved, That the question now under consideration be laid on the table until such advice is received.

Senator Keith moved the adoption of the resolution.

Senator Hamilton moved to amend, that the resolution be laid on the table.

The amendment was carried by the following vote: Yeas 17, nays 13, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Crow, Hall, Hamilton, Hammer, LeCrone, Megler, Miller David, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend — 17.

Those voting nay were: Senators Carper, Cole, Davis High, Hill, Keith, Land, McReavy, Miller T. J., Plummer, Reinhart, Runner, and Van Patten — 13.

Those absent or not voting were: Senators Biggs, Clapp, Hemrich, and Mantz — 4.

On motion of Senator Schofield, the Senate adjourned at 4:45 P. M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 31, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Biggs, who was excused.

The journal of yesterday was read and approved.

Senator Plummer moved that Senate bill No. 80, entitled "An act providing a method for the payment and settlement of delinquent special street grade assessments, in cities of the first class in the State of Washington," with the consent of the Committee on Revenue and Taxation, to whom the bill had been referred, be referred to the Committee on Municipal Corporations.

The motion was carried.

The following reports of Standing Committees were read by the secretary.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 102, entitled "An act for the appropriation of money to defray the expenses of public printing," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the amount of the appropriation be reduced to five thousand dollars, and that the same do pass as amended.

Respectfully submitted,

J. A. COLE, Chairman.

We concur in this report:

S. M. LECRONE.

J. C. VAN PATTEN.

E. C. KEITH.

On motion of Senator Hall the report was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint memorial No. 2, in reference to American merchant marine, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report:

J. C. VAN PATTEN.

S. D. REINHART.

On motion of Senator Andrews the report was adopted and made a special order for Friday, February 3d, at 2 P. M.

SENATE CHAMBER,

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Memorial No. 4, memorializing congress to aid American shipping and American producers of export agricultural products, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, with the following

amendment: Strike out the word "fourth," in line 9 of the original memorial.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report:

J. C. VAN PATTEN.

S. REINHART.

On motion of Senator High, the report on Senate Memorial No. 4 was adopted and the memorial made a special order for Friday February 3rd, 1899.

SENATE CHAMBER.

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 3, petitioning United States congress to appropriate \$20,000 to remove obstructions from Snake river, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report:

J. C. VAN PATTEN.

S. D. REINHART.

On motion of Senator Hall, the report of the committee on House Joint Memorial No. 3 was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint resolution No. 12, for United States Senate and House of Representatives, relating to bill now pending in congress to promote commerce and increase the foreign trade of the United States, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report:

J. C. VAN PATTEN,

S. D. REINHART.

On motion of Senator Andrews, the report was adopted.

OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 54, entitled "An act making an appropriation to continue the operation of the state salmon hatcheries, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report:

J. A. COLE.

OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 2, providing that the sergeant-at-arms of the

Senate and House be instructed to procure a suitable flag for the capitol, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report:

J. A. COLE.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1899.

MR. PRESIDENT :

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 1 "to provide for printing 2,500 copies of the Governor's message for the public service," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report :

J. A. COLE.

On motion of Senator Preston, Senate bill No. 58, which had been referred to the Committee on Elections and Privileges, was, with the consent of the said committee referred to the Committee on Education.

With the consent of the Senate, Senator Hamilton introduced Senate concurrent resolution No. 8, relating to the death of Mrs. Will D. Jenkins, wife of the Hon. Will D. Jenkins, Secretary of State, out of order. The resolution was adopted.

Senator Hamilton moved that the contest case of Gray vs. Mantz, which had been made a special order for this afternoon at 2 o'clock P. M., be put over until to-morrow. Senator Keith moved to amend by making same special order for Thursday at 2 o'clock P. M. The motion, as amended, was carried.

The following messages were received from the House :

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT :

The House has passed House bill No. 94, entitled "An act amending an act providing for commencement of civil actions;" and the same is herewith transmitted.

W. F. DILLON, Chief clerk.

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT :

The House has passed House bill No. 120, entitled "An act for rendering available the endowment of the Agricultural College Experiment Station and School of Science of the State of Washington, and declaring an emergency," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT:

The House has passed House bill No. 86, entitled "An act prescribing the rate to be charged by railroad and steamship companies for

transportation of passengers within the state and fixing a penalty for the violation thereof," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 31, 1899.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 8, relating to the death of the wife of Hon. Will D. Jenkins, and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

The following message from the Governor was read by the secretary:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., January 30, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Washington:

SIR:—By direction of Governor Rogers I herewith transmit, for the use of the Senate, forty copies of the printed reports of the State Fair Commissioners and the Board of Pilot Commissioners for the Columbia River and Bar. Yours respectfully,

J. H. PELLETIER,
Governor's Private Secretary.

INTRODUCTION OF BILLS.

House bill No. 50, by Mr. Palmer: An act for the protection of orphans, homeless, neglected or abused children, and conferring powers upon Judges of the Superior Court, the County Commissioners and charitable societies to receive, control and dispose of the same, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Andrews, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Morals.

House bill No. 40, by Mr. McDonald: An act to amend section 2 of an act entitled "An act authorizing cities, towns and counties to purchase, construct and maintain ferries," approved March 20th, 1895, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilshire, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 113, by Mr. Maxwell: An act to amend section 132 of "An act providing for the organization, classification, incorporation and government of municipal corporations, and declar-

ing an emergency, approved March 27th, 1890, as said decision was amended by section 8 of an act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890," and approved March 9, 1893.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 94, by Mr. Sheller: An act amending an act entitled "An act providing for commencement of civil actions," approved March 15, 1893, "An act to amend section 7 of an act providing for the manner of commencing actions in the superior courts, and to bring the same to trial."

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 120, by Mr. Allen: An act for rendering available the endowment of the Agricultural College, Experiment Station and School of Science of the State of Washington, and declaring an emergency.

□ The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

House bill No. 86, by Mr. McLean: An act prescribing the maximum rate to be charged by railroad and steamship companies for transportation of passengers within the state, and fixing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Railroads and Transportation.

Senate bill No. 113, by Senator Keith: An act to regulate and establish rates of compensation for the carrying of freight or express matter by express companies doing business within this state, and fixing a penalty.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill was read the second

time by title, and referred to the Committee on Railroads and Transportation.

Senate Bill No. 114, by Senator Plummer: An act providing an additional judge for the superior court of the State of Washington in and for Spokane county, and for filling such office, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 115, by Senator Cole: An act compelling persons, lessees or corporations operating coal mines to furnish timber to the workmen at the face of the drifts or rooms, and providing a penalty for violation thereof.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to Committee on Mines and Mining.

Senate bill No. 116, by Senator Land: An act creating and establishing municipal courts in cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure and providing judges and clerks therefor, repealing all laws in conflict with this act, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senator Plummer moved as an amendment that the bill be referred to the Judiciary Committee.

The amendment was lost, and the motion prevailed.

The president signed Senate concurrent resolution No. 2, relating to the purchase of a suitable flag for the Capitol; also Senate concurrent resolution No. 1, relating to the printing of the Governor's message; also Senate bill No. 54 relating to the appropriation of \$2,000 for fish hatchery purposes.

Senator Cole moved that the rules be amended and that another member be placed on the enrolling committee. The motion was carried.

The president appointed Senators Land, Hammer and Hall, as a conference committee to meet a like committee from the House with reference to House bill No. 154 entitled "An act

changing the name of Gilman, King county, Washington to Issaquah."

The consideration of Senate bill No. 22, entitled "An act to establish the legal rate of interest in the State of Washington and to prevent usury," was resumed. Senator Preston moved to recommit the bill to the Judiciary committee. Senator David Miller, moved as an amendment that the bill be laid on the table. The amendment was lost and the motion prevailed.

On motion of Senator Hamilton, House memorial No. 12, relating to a bill now pending in Congress with reference to the foreign trade of the United States, etc., was made a special order for Friday at 2 P. M.

On motion of Senator Andrews, Senate bill No. 2 entitled "An act appropriating money for clerical and engineering assistance and cost of advertising the sale of tide lands and timber on state lands, in the office of the Commissioner of Public Lands," was also made a special order for Friday at 2 P. M.

Senator Hill was excused from attendance on account of sickness.

THIRD READING OF BILLS.

Senate bill No. 75, entitled "An act relating to the school for defective youth, and amending section 2570, 2580 and 2589 of Ballinger's Annotated Statutes and Codes of the State of Washington.

The bill was read the third time by sections.

On motion of Senator T. J. Miller the title was amended by inserting the words "and declaring an emergency" after the word "Washington."

Senator High moved the bill be placed on final passage, which was carried.

The secretary called the roll, which resulted as follows: Yeas, 30, nays none, absent or not voting 4, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, and Wooding—30.

Nays: None.

Absent or not voting: Senators Biggs, Crow, Hill, and Yeend—4.

The emergency clause was carried by the following vote: Yeas 29, nays none, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—29.

Nays: None.

Absent or not voting: Senators Baum, Biggs, Cole, Hill, and Preston—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 78, entitled "An act concerning the coal mine inspector, and declaring an emergency," was read the third time by sections.

Senator Cole moved to amend section 1 of the original bill by inserting the word "coal" before the words "mining inspector" at the end of the first sentence.

The motion was carried.

Senator Cole moved that the report of the committee be adopted.

The motion was carried.

On motion of Senator Cole, the bill was recommitted to the committee.

On motion of Senator Andrews, the Senate adjourned to the House to meet in joint session.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock noon.

The secretary of the Senate called the roll of the Senate, all members being present except Senators Biggs and Hill, who were excused.

The clerk of the House called the roll of the House, all members being present except Messrs. Boyce, Olson, Bisson, Johnston, and Stockwell.

The clerk of the House commenced the reading of the journal of the joint session of yesterday.

On motion of Mr. Curtiss, the further reading of the journal was dispensed with, and the same was approved.

The clerk of the House called the roll on the twenty-second joint ballot for United States Senator, which resulted as follows:

TWENTY-SECOND JOINT BALLOT.

Levi Ankeny received twenty-eight votes.

Addison G. Foster received twenty-seven votes.

Thomas J. Humes received two votes.

James Hamilton Lewis received one vote.

John L. Wilson received twenty-five votes.

John R. Rogers received nineteen votes.

Robert Bridges received two votes.

Thomas M. Vance received one vote.

Those voting for Levi Ankeny were: Allen Wilford, Andrews, Baldwin, Carpenter, Clapp, Clark, Copeland, Daniels, Field, Gleason, Gose, Hemrich, Jarard, LaFollette, McLean, Mutty, Patterson, Pratt, Preston, Schofield, Sims, Smith, Somerindyke, Totten, White, Wilshire, Wooding, and Mr. Speaker.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Corey, Dorsey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Minard, Palmer, Parrish, Sharp, Sheller, Stewart, Stocking, Warburten, and Wickersham.

Those voting for Thomas J. Humes were: Thacker and Wilson.

Those voting for John R. Rogers were: Baum, Carper, Cole, Davis, Gerry, High, Keith, Land, Mantz, McDonald, Miller David, Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Eames, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfit, Megler, Mount, Myers, Palmer, Rosenhaupt, Scott, Sexton, Sinclair, and Witter.

Mr. Conway and Senator T. J. Miller voted for Mr. Bridges.

Senator McReavy, voted for James Hamilton Lewis.

Senator Yeend voted for Thomas M. Vance.

Those absent or not voting were: Biggs, Bisson, Boyce, Hill, Johnston, Olson and Stockwell.

No candidate having received a majority of all votes, the president declared there was no election.

The clerk of the House called the roll on the twenty-third ballot for United States senator, which resulted as follows:

TWENTY-THIRD JOINT BALLOT.

Levi Ankeny received twenty-eight votes.

Addison G. Foster received twenty-seven votes.

Thos. J. Humes received two votes.

James Hamilton Lewis received one vote.

John L. Wilson received twenty-five votes.

John R. Rogers received nineteen votes.

Robert Bridges received two votes.

Thomas M. Vance received one vote.

Those voting for Levi Ankeny were: Allen Wilford, Andrews, Baldwin, Carpenter, Clapp, Clark, Copeland, Daniels, Field, Gleason, Gose, Hemrich, Jerard, LaFollette, McLean, Mutty, Patterson, Pratt, Preston, Schofield, Sims, Smith, Somerindyke, Totten, White, Wilshire, Wooding, and Mr. Speaker.

Those voting for Addison G. Foster were: Baker, Barlow, Bedford, Bellows, Bishop, Brown, Corey, Dorsey, Dickson, Frye, Hamilton, Hammer, Heilig, Kingsbury, LeCrone, Maxwell, McCoy, Miller E. C., Minard, Parker, Sharp, Sheller, Stewart, Warburton, and Wickersham.

Those voting for Thos. J. Humes were: Thacker, and Wilson.

Those voting for John R. Rogers were: Baum, Carper, Cole, Davis, Gerry, High, Keith, Land, Mantz, McDonald, Miller David, Moore, Paul, Pendergast, Plummer, Reinhart, Runner, Van Patten, and Welty.

Those voting for John L. Wilson were: Allen Hiram E., Beals, Callvert, Chrisman, Colwell, Crow, Curtiss, Eames, Englehart, Falknor, Frick, Gunderson, Hall, Harrison, Lambert, Langfitt, Megler, Mount, Myers, Palmer, Rosenhaupt, Scott, Sexton, Sinclair, and Witter.

Mr. Conway and Senator T. J. Miller voted for Mr. Bridges.

Senator McReavy voted for James Hamilton Lewis.

Senator Yeend voted for Thomas M. Vance.

Those absent or not voting were: Biggs, Bisson, Boyce, Hill, Johnston, Olson, and Stockwell.

No candidate having received a majority of all votes, the president declared there was no election.

On motion of Senator Plummer, at 12:20 o'clock p. m. the joint session was dissolved.

President Daniels called the Senate to order at 12:25 P. M. On motion of Senator Plummer the Senate adjourned at 12:30 P. M. until 10 o'clock A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 1, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll; all members being present, except Senator Hill, who was excused.

The secretary read the journal of yesterday, which was approved as amended.

On motion of Senator Keith, Senate bill No. 94, entitled "An act to provide for the payment of taxes by the owners of sleeping cars, drawing-room cars and parlor cars," was taken from the Committee on Revenue and Taxation.

The following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 1, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 78, entitled "An act making appropriations for deficiencies in appropriations for transportation of convicts, transportation of juvenile offenders, and traveling expenses of Superior Judges for the fiscal period beginning April 1st, 1897, and ending March 31st, 1899."

Also, the speaker of the House has signed Senate concurrent resolutions Nos. 1 and 2.

Also, the speaker of the House has signed Senate bill No. 54, entitled "An act making an appropriation to continue the operation of the State salmon hatcheries."

Also, the speaker of the House has signed Senate bill No. 10, entitled "An act to amend section 8 of an act entitled 'An act for the protection

of game animals, and birds and song birds, and to define and punish as misdemeanors all violations thereof, etc.' "

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed Senate bill No. 10, entitled "An act to amend an act entitled 'An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, defining their duties, fixing their compensation, and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington,' approved March 11, 1897."

The following reports of standing committees were read by the secretary:

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, February 1st, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 3, in relation to merchant marine, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the memorial be indefinitely postponed.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

On motion of Senator Andrews the report was adopted.

OLYMPIA, January 31, 1899.

MR. PRESIDENT:

We your Committee on Enrolled Bills, to whom was referred Senate bill No. 10, entitled "An act to amend section 8 an act entitled 'An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, etc.,' " have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

OLYMPIA, February 1, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 72, entitled "An act making an appropriation for the maintenance of grain inspection and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that line 3, section 2 of the

printed bill be amended to read, "This act shall be in force from and after its passage and approval," and that the bill as amended do pass.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report: John H. Carper, W. F. Clapp, Dan Paul, W. E. Runner, Harold Preston, Paul Land.

On motion of Senator High the report was adopted.

OLYMPIA, February 1, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 105, entitled "An act concerning the Washington School for Defective Youth, providing for constructing a sewer and supplying water to said institution, and the right to condemn a right-of-way for said purposes, making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: That the title be amended to read, "An act providing for the construction of a sewer and a water system for the Washington School for Defective Youth, and granting the rights to acquire rights-of-way therefor, making appropriation therefor, and declaring an emergency."

Section 1 to read, "There is hereby appropriated out of the state treasury from any moneys not otherwise appropriated, the sum of fifteen hundred and five dollars (\$1,505), for the construction of a sewer, extending from the building of the feeble minded to a connection with the existing sewer, for the repair of the existing sewer, and for the necessary right-of-way for the extension."

Amend section 3, by striking out first sentence and in lieu thereof insert the following: "Section 3. The Board of Trustees of such institution is hereby authorized to expend as much as may be necessary of said appropriation for the purposes aforesaid, and to acquire by purchase, grant, deed or gift, or condemnation, the necessary easements or rights-of-way for said purposes," and that the bill as amended do pass.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report, Dan Paul, Harold Preston, C. F. Clapp, Paul Land, John H. Carper, W. E. Runner.

On motion of Senator High, the report was adopted and referred to Committee of the Whole.

OLYMPIA, January 31, 1899.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 50, entitled "An act for the protection of orphan, homeless, neglected and abused children, and conferring powers upon judges of the superior court, the county commissioners and charitable societies to receive, control and dispose of the same," and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report: John I. Yeend, L. B. Andrews.

On motion of Senator Van Patten, the report was adopted.

OLYMPIA, January 31, 1899.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred certain memorials and petitions from 1,913 residents and citizens of various counties of the State of Washington, praying for the provision in connection with the State Penitentiary of this state of a good and well-seated assembly hall sufficiently large to contain the prisoners, where lectures and addresses may be delivered and intellectual and moral instruction imparted by philanthropic people, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the dining hall of the State Penitentiary, as recommended by the State Board of Audit and Control, be so constructed as to answer the immediate needs and purposes petitioned for.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report: L. B. Andrews, John I. Yeend.

On motion of Senator Van Patten the report was adopted.

The following communication was read by the secretary:

STATE OF WASHINGTON, SENATE CHAMBER.

Edward Wheeler, Esq., Sergeant-at-Arms of the Senate:

DEAR SIR—I am in need of one copy Ballenger's Code, and one set of Supreme Court Reports. Volumes 1 to 4 and 10 to 18 of the Reports may be obtained from the Secretary of State and State Librarian.

I cannot work in the State Library, and if I borrow these books they are continually being taken from me.

Respectfully,

FRANK PIERCE.

On motion of Senator Preston, the communication was referred to the Committee on State Library.

INTRODUCTION OF BILLS.

Senate bill No. 117, by Senator Megler: An act making an appropriation for the relief of H. S. Elliott, judge of the superior court of Lewis, Pacific and Wahkiakum counties.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 118, by Senator Baker: An act in relation to real property, mortgages, directing the manner of foreclosure and redemption from sale under foreclosure, and defining the rights of the parties thereto.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Van Patten House bill No. 50 entitled "An act for the protection of orphan, homeless and abused children, and declaring an emergency," was read the third time by sections.

Senator Preston moved to amend section 2 line 11, by striking out the word "two" and inserting the word "twenty."

The motion was carried.

Senator Preston moved to amend section 2 line 11, by striking out the word "summarily."

The motion was carried.

Senator T. J. Miller moved to amend section 3 line 3, by striking out the word "ten" and inserting the word "twenty."

The motion was carried.

On motion of Senator Schofield the bill was referred to the Committee on Judiciary.

On motion of Senator Hemrich Senate bill No. 19, entitled "An act requiring horseshoers to pass civil service examination," was read the third time by sections.

Senator Cole moved to amend section 3 line 10, by striking the words "to practice" after the word "examination," and inserting in lieu thereof the words "from practicing."

The motion was carried.

Senator Cole moved to amend section 4 line 1, by striking the parenthetical clause "(Sec. 5)"; also in section 5 line 1, by striking the parenthetical clause "(Sec. 6)," and in section 6 line 1, by striking the parenthetical clause "(Sec. 7.)"

The motion was carried.

On motion of Senator Preston the title was amended to read "An act to regulate the practice of horseshoeing in cities of 5000 or more inhabitants.

On motion of Senator Megler the bill was placed on final passage.

The secretary called the roll which resulted as follows: Yeas 29, nays 4, absent or not voting 1, total 34.

Those voting yea were: Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 29.

Those voting nay were: Senators Hall, Miller David, Reinhart and Runner — 4.

Those absent or not voting : Senator Hill — 1.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Cole, the Senate resolved itself into a Committee of the Whole for the consideration of Senate bill No. 102, "An act for the appropriation of money to defray the expenses of public printing."

The bill was considered in the Committee, Senator Preston in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments :

Strike the following preamble: "WHEREAS, The appropriation for the state printing has been exhausted for the fiscal year ending March 31, 1899 ; therefore ;" also strike all of section two.

On motion of Senator Schofield the Senate retired to the House at 12 o'clock, M., to ballot for United States Senator.

JOINT SESSION.

President Daniels called the joint session to order at 12 o'clock M. The secretary of the Senate called the roll of the Senate, all members being present except Senator Hill who was excused. The clerk of the House called the House roll, all members being present except Messrs. Boyce, Johnston, Olson and Stockwell.

On motion of Senator Plummer the reading of the journal of yesterday was dispensed with and the same was approved.

The clerk of the House called the roll on the twenty-fourth joint ballot for United States Senator which resulted as follows:

TWENTY-FOURTH JOINT BALLOT.

Frank T. Reed received one vote.

Addison G. Foster received eighty-one votes.

Thomas J. Humes received one vote.

Thomas Carroll received fifteen votes.

W. E. Richardson received three votes.

Robert Bridges received three votes.

John R. Rogers received two votes.

Thomas M. Vance received one vote.

Absent five.

Those voting for Addison G. Foster were : Allen Hiram E., Allen Wilford, Andrews, Baker, Baldwin, Barlow, Beals, Bedford, Bellows, Bishop, Brown, Callvert, Carpenter, Chrisman, Clapp, Clark, Colwell, Copeland, Corey, Crow, Curtiss, Daniels,

Dorsey, Dickson, Eames, Englehart, Falknor, Field, Frick, Frye, Gleason, Gose, Gunderson, Hall, Hamilton, Hammer, Harrison, Heilig, Hemrich, Jerard, Kingsbury, LaFollette, Lambert, Langfitt, LeCrone, Maxwell, McCoy, McLean, Megler, Miller E. C., Minard, Mount, Mutty, Myers, Palmer, Parker, Parrish, Patterson, Pratt, Preston, Rosenhaupt, Schofield, Scott, Sexton, Sharp, Sheller, Sims, Sinclair, Smith, Stewart, Stocking, Thacker, Totten, Warburton, White, Wickersham, Wilshire, Wilson, Witter, Wooding, and Mr. Speaker.

Those voting for Thomas Carroll were: Baum, Biggs, Cole, Gerry, High, McDonald, McReavy, Miller David, Moore, Paul, Pendergast, Plummer, Reinhart, Van Patten, and Welty.

Those voting for W. E. Richardson were: Carper, Mantz, and Runner.

Those voting for Robert Bridges were: Conway, Land, Miller T. J.

Those voting for John R. Rogers were: Bisson and Keith.

Senator Davis voted for Frank T. Reed.

Mr. Somerindyke voted for Thomas J. Humes.

Senator Yeend voted for Thomas M. Vance.

Those absent or not voting were: Boyce, Hill, Johnston, Olson, and Stockwell.

Addison G. Foster having received a majority of all votes cast was declared by the president to be duly elected United States senator of the State of Washington for the term commencing March 4th, 1899.

On motion of Senator Warburton, a committee of three, consisting of Senators Warburton and Hall, and Representative Mount, was appointed by the president to notify the Honorable Addison G. Foster of his election, and escort him to the House.

The committee, accompanied by Mr. Foster, arrived, and he was introduced to the Senators and Representatives in joint session, to whom he delivered a brief address.

United States Senator John L. Wilson was called upon and addressed the joint session.

On motion of Mr. McDonald, at 1:10 P. M., the joint session dissolved.

President Daniels called the Senate to order at 1:15 P. M.

President Daniels signed House bill No. 78, entitled "An act making appropriations for deficiencies in appropriations for trans-

portation of convicts, transportation of juvenile offenders, and traveling expenses of Superior Judges, for the fiscal period beginning April 1, 1897, and ending March 31, 1899, and declaring an emergency."

On motion of Senator Schofield, at 1:20 o'clock P. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February, 2, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Hemrich, Wilshire, and Wooding, who were excused.

The journal of yesterday was read and approved.

On motion of Senator Keith, Senate bill No. 25, entitled "An act providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from Lyle, in Klickitat county, Washington, to Washougal, in Clarke county, Washington, creating a commission therefor, defining their duties, making an appropriation therefor, and declaring an emergency;" also, Senate bill No. 29, entitled "An act to provide for the establishment of a state road from Motesano, Chehalis county, by way of North river valley, Willapa, South Bend, the Nemma river, Nasel river and Gray's river valleys, to a point on the Columbia river at Brookfield, Wahkiakum county, and making an appropriation therefor;" also, Senate bill No. 39, entitled "An act amending sections 9 and 12 of an act entitled "An act providing for the survey and establishment of a state road; creating a commission, defining its duties, and making an appro-

priation therefor, and declaring an emergency,' approved March 18, 1897;" also, Senate bill No. 95, entitled "An act to provide for the establishment of a state road from Cora, or Sulphur Springs, Lewis county, by way of the Cowlitz pass to a point on the Natchez river, connecting with the wagon road at or near Cowiche, in Yakima county," which had been made a special order for 2 o'clock P. M., to day, were made special order for Tuesday, February 7, 1899, at 2 P. M.

Senate concurrent resolution No. 9, relating to the appointment by the Governor of a joint commission to meet a like commission from the State of Oregon, to establish the boundary line on the Columbia river between the two states, was read the first time, and on motion of Senator Megler, the rules were suspended, the resolution read the second time by title, and referred to the Committee on Fisheries.

Senate concurrent resolution No. 10, relating to the appointment of a joint committee from the Senate and House to visit the Normal School at Cheney, and the Agricultural College at Pullman, was read the first time.

Senator Schofield moved that the resolution be laid on the table, which was carried by the following vote: Yeas 14, nays 13, absent or not voting 7.

Those voting yea were: Senators Baker, Biggs, Crow, Hall, Hamilton, Hammer, Land, Mantz, McReavy, Megler, Miller David, Preston, Reinhart, and Schofield.

Those voting nay were Senators: Andrews, Carper, Cole, Davis, High, Hill, Keith, LeCrone, Miller T. J., Paul, Plummer, Runner, and Van Patten.

Those absent or not voting were: Senators Baum, Clapp, Hemrich, Warburton, Wilshire, Wooding, and Yeend.

The following reports of standing committees were read by the secretary:

REPORT OF STANDING COMMITTEES.

OLYMPIA, February 2, 1899.

MR. PRESIDENT :

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol Building and for the reduction of the cost thereof, and changing the original plans, providing for payment of interest and making an appropriation therefor," have had the same under

consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: Thomas J. Miller, John McReavy, J. A. Cole.

On motion of Senator T. J. Miller, the report was adopted.

OLYMPIA, February 2, 1899.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, to whom was referred bills of J. McReavy, \$6.80, and J. G. Megler, \$6.80, for mileage to Tacoma and return to attend Joint Fisheries Committee meeting, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be paid in full.

Respectfully submitted,

DAVID MILLER, Chairman.

We concur in this report: E. Hammer, Oliver Hall, W. H. Plummer.

On motion of Senator David Miller, the report was adopted.

Senator High moved that Senate bill No. 75, entitled "An act relating to the school for defective youth, and amending sections 2570, 2580 and 2589 of Ballinger's Annotated Statutes and Codes of the State of Washington," be referred to the Engrossing Committee, which was carried.

The following resolution, by Senator Keith, was read by the secretary:

WHEREAS, Some of the committee clerks do not remain at the State House during the hours of the session, and cannot be found when needed, therefore, be it

Resolved, That all committee clerks report to the secretary of the Senate daily and remain at the State House unless excused, excepting the judiciary clerk.

On motion of Senator Keith the resolution was adopted.

The following communication was read by the secretary:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, February 1, 1899.

To the Honorable the President of the Senate, Senate Chamber, Olympia, Washington:

SIR:—I have the honor to inform you that the Governor has this day approved Senate bill No. 54, entitled "An act making an appropriation to continue the operation of the State salmon hatcheries."

Yours respectfully,

J. H. PELLETIER,
Governor's Private Secretary.

INTRODUCTION OF BILLS.

Senate bill No. 119, by Senator Hill: An act relating to negligence.

The bill was read the first time; and, on motion of Senator

Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 120, by Senator Keith: "An act regarding the liability of railroad corporations for injury sustained by employees thereof."

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Railroads and Transportation.

Senate bill No. 121, by Senator LeCrone (by request): An act to amend sections 6 and 14 of an Act entitled: "An act to provide for the manner of commencing civil actions in the Superior Courts and bring the same to trial," approved March 15th, 1893, the same being sections 6 and 14 of chapter CXXVII of the session laws of 1893, page 407.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 122, by Senator Davis: An act regulating charges of telegraph companies, and providing a penalty for its violation.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipals.

Senate bill No. 123, by Senator Plummer: An act prohibiting the catching of any fish in any of the stocked lakes within the state, except with a hook and line, and providing a penalty for the violation thereof, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

Senate bill No. 124, by Senator Hammer: An act to establish the validity of the organization of municipal corporations incorporated under the existing laws of this state, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 125, by Senator Preston: An act providing for and regulating the selection of jurors in the Superior Courts of this state, and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be a contempt of court, and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict herewith.

. The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 126, by Senator Runner: An act to amend an act entitled "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of the facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulation and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," approved March 13th, 1897.

The bill was read the first time, and on motion of Senator Runner, the rules were suspended, the bill read the second time by title and referred to the Committee on Railroads and Transportation.

Senate bill No. 127, by Senator LeCrone: An act repealing Chapter XXXV of the Session Laws of Washington for the year 1897, being an act entitled "An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state," and also providing for the compilation of forms for all public blanks and providing for the procuring thereof.

The bill was read the first time, and upon motion of Senator LeCrone, the rules were suspended the bill read the second time by title and referred to the Committee on Printing.

Senate bill No. 128, by Senator Land: An act in regard to contracts affecting the liability of railroad companies for damages.

The bill was read the first time, and on motion of Senator Land

the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 129, by Senator Hamilton: An act regulating the purchase of blank books, blank forms for public use, and the expenditure of public money or funds therefor, and declare an emergency.

The bill was read the first time, and on motion of Senator Hamilton the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole for the consideration of Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol Building and for the reduction of the cost thereof by changing the original plans, providing for payment of interest, and making an appropriation therefor," Senator Plummer in the chair.

The committee reported back that the bill do pass with the following amendments:

Section 2, line 4 of the printed bill, strike the word "six" after the word "exceed" and insert the word "five" in lieu thereof.

Section 5, line 8, insert after the word "fund," the words "the amount so settled upon."

On motion of Senator McReavy, the report of the committee was adopted.

Senator David Miller moved that the bill be laid on the table.

The motion was lost.

The bill was referred to the Engrossing Committee.

On motion of Senator Cole, the report of the Committee of the Whole on Senate bill No. 102, entitled "An act for the appropriation of money to defray the expenses of public printing," was adopted, placed on its final passage and passed by the following vote: Yeas 28, nays 2, absent or not voting 4, total 34.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, and Van Patten—28.

Those voting nay were: Senators Baker and Warburton—2.

Absent or not voting: Senators Hemrich, Wilshire, Wooding, and Yeend—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The following report was read by the secretary:

OLYMPIA, February 2, 1899.

MR. PRESIDENT:

We, your conference committee of the House and Senate, to whom was referred House bill No. 154, entitled "An act changing the name of Gilman, King county, Washington, to Issaquah," have had the same under consideration, and we respectfully report the same back to the House of Representatives, with the recommendation that it do pass with the following amendments:

Insert before the word Gilman, in the title and in the bill, the words "the town of," and the same words before the word Issaquah wherever the same appears in House bill No. 154.

Respectfully submitted,

PAUL LAND, Chairman.

We concur in this report: F. A. McDonald, Harry Rosenhaupt, Oliver Hall, E. Hammer.

On motion of Senator Land the report was adopted and the amendments of the House concurred in by the following vote: Yeas 28, nays none, absent or not voting 6; total 34.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, and Yeend — 28.

Those absent or not voting were: Senators Baker, Biggs, Davis, Hemrich, Wilshire, and Wooding — 6.

On motion of Senator High the Senate resolved itself into a committee of the whole for the consideration of Senate bill No. 105, entitled "An act concerning the Washington School for Defective Youth, providing for constructing a sewer and supplying water to said institution, and the right to condemn a right-of-way for said purposes, making an appropriation therefor, and declaring an emergency."

Senator Andrews in the chair.

The committee reported back that the bill do pass.

On motion of Senator Land the report was adopted and referred to the Engrossing Committee.

On motion of Senator T. J. Miller Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol Building and for the reduction of the cost thereof by changing the or-

iginal plans, providing for payment of interest, and making an appropriation therefor," was laid on the table.

Senators Warburton and Van Patten paired on the Gray vs. Mantz contest and Senator Warburton was excused.

On motion of Senator VanPatten at 12 M., the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M. pursuant to adjournment.

The secretary called the roll, all members being present except Senators Hemrich, Warburton and Wilshire, who were excused, and Senator Wooding.

Senator Plummer introduced the following resolution which was adopted:

Resolved, That a sub-committee of the Judiciary Committee, consisting of three members, of which the chairman of the Judiciary Committee shall be chairman of the sub-committee, be appointed by the chairman thereof, who shall, with the aid of contestant and contestee, and their attorneys, prepare a statement of facts and briefs, and present the same to the Supreme Court and request it to render a decision upon the legal points involved, at its earliest possible convenience.

Senator Plummer, in accordance with the resolution, appointed the following sub-committee: Senators Plummer, Preston, and Carper.

The following report of the Committee on Engrossed Bills was read by the secretary :

OLYMPIA, February 2, 1899.

MR. PRESIDENT :

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 105, entitled "An act providing for the construction of a sewer and a water system for the Washington School for Defective Youth and granting the right to acquire right-of-way therefor, making an appropriation therefor and declaring an emergency," have had the same properly engrossed.

Respectfully submitted,

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, Harold Preston.

On motion of Senator High, Senate bill No. 105, entitled "An act concerning the Washington School for Defective Youth, providing for constructing a sewer and supplying water to said

institution, and the right to condemn a right-of-way for said purposes, making an appropriation therefor, and declaring an emergency," was placed on its final passage and passed by the following vote : Yeas 27, nays 0, absent or not voting 7, total 34.

Those voting yea were : Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, Yeend — 27.

Those absent or not voting were : Senators, Cole, Hemrich, Miller David, Preston, Warburton, Wilshire and Wooding — 7.

The emergency clause passed by the following vote : Yeas 28, nays 0, absent or not voting 6, total 34.

Those voting yea were : Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten — 28.

Those absent or not voting were : Senators Cole, Hemrich, Warburton, Wilshire, Wooding and Yeend — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller, Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol Building and for the reduction of the cost thereof by changing the original plans, providing for payment of interest, and making an appropriation therefor," was taken from the table and referred to the Judiciary Committee, with instructions that it be reported back to-morrow morning.

On motion of Senator Land, the Grouping Committee was instructed to schedule the committee meetings, except those of the Judiciary Committee.

THIRD READING OF BILLS.

House Joint Resolution No. 8. A resolution memorializing congress not to ratify the free importation of coal, lumber and shingles into the United States from the Dominion of Canada, was read the third time.

On motion of Senator Keith, the resolution was placed on final passage and passed by the following vote : Yeas 20, nays 8, absent or not voting 6, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, LeCrone, McReavy, Megler, Miller T. J., Preston, Runner, and Schofield—20.

Those voting nay were: Senators Carper, Cole, Mantz, Miller David, Paul, Plummer, Reinhart, and Yeend—8.

Those absent or not voting were: Senators Hemrich, Land, Van Patten, Warburton, Wilshire, and Wooding—6.

On motion of Senator Andrews the rules were suspended and House joint resolution No. 8 was ordered transmitted to the House immediately.

House joint memorial No. 3, relating to an appropriation of \$20,000 by congress for Snake river, was read the third time.

On motion of Senator High the resolution was placed on final passage and passed by the following vote: Yeas 29, nays 0, absent or not voting 5, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, and Yeend—29.

Those absent or not voting were: Senators Hemrich, Preston, Warburton, Wilshire and Wooding—5.

The following message was received from the House.

OLYMPIA, February 2, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 154, entitled "An act changing the name of the town of Gilman to the town of Issaquah," and the same is transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

Senate concurrent resolution No. 7, relating to election of United States Senator by direct vote of the people, was read the third time. On motion of Senator T. J. Miller the resolution was placed on final passage and passed by the following vote: Yeas 25, nays 1, absent or not voting 8, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hammer, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten and Yeend—25.

Those voting nay were: Senator Plummer—1.

Absent or not voting were: Senators Biggs, Hall, Hamilton, Hemrich, Keith, Warburton, Wilshire, and Wooding — 8.

The president signed House bill No. 154, entitled "An act changing the name of the town of Gilman, King county, Washington, to the town of Issaquah."

On motion of Senator Megler, the Senate resolved itself into a Committee of the Whole for the consideration of Senate bill No. 13, entitled "An act to establish experiment stations for the propagation of eastern oysters in the waters of Willapa harbor and Samish bay, and making an appropriation therefor."

Senator Hamilton in the chair.

The committee reported back that the bill do pass.

On motion of Senator T. J. Miller the report was adopted.

On motion of Senator Megler the rules were suspended, the bill considered engrossed, the reading in the committee be considered the third reading and placed on final passage, and passed by the following vote: yeas 30, nays 0, absent or not voting 4, total 34.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Yeend — 30.

Those absent or not voting were: Senators Hemrich, Warburton, Wilshire and Wooding.

There being no objection the title of the bill was ordered to stand as the title of the act.

On motion of Senator Megler, the rules were suspended, and Senate bill No. 13, entitled "An act to establish experiment stations for the propagation of eastern oysters in the waters of Willapa harbor and Samish bay, and making an appropriation therefor," was ordered immediately transmitted to the House.

On motion of Senator Hall, the Senate resolved itself into a Committee of the Whole for the consideration of Senate bill No. 72, entitled "An act making an appropriation for the maintenance of grain inspection, and declaring an emergency."

Senator Cole in the chair.

The committee reported back that the bill be re-referred to the Committee on Appropriations.

On motion of Senator McReavy, the report was adopted.

On motion of Senator McReavy, at 3:30 o'clock P. M., the Senate adjourned until 10 o'clock A. M. to morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

TWENTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 3, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Warburton, Wilshire, and Wooding, who were excused.

On motion of Senator Plummer, the reading of the journal of yesterday was dispensed with, and the same was approved.

The following reports of standing committees were read by the secretary:

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 68, entitled "An act relating to costs in civil actions in the Superior Courts," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, C. A. Mantz, John H. Carper, F. M. Baum.

On motion of Senator Plummer, the report was adopted.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 27, entitled "An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, repealing an act entitled 'An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefited by the local improvements, and declaring an emergency,'

approved March 9, 1893, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1 by striking out all of said section after the word "provided," in line 13.

Amend section 2 by striking out all of line 2 after the word "date," and strike out all of line 3 up to the words "not to exceed ten."

Insert after the word "bonds," in line 4, the following: "Which latter date may be fixed by resolution, by council, or by legislative body of said city."

Strike out the word "nine," in line 5, and insert the word "eight."

After the word "city" in line 10 add the following: "Provided, however, that said coupons may in lieu of being so signed have printed thereon *fac simile* of the signatures of said officers."

Strike out the words "each bond" in line 11.

After the word "issue" in line 12, strike out the words "and the" and insert the words "and to the." Strike out the words "and shall provide" and insert the words "each bond shall provide."

Strike out the word "contract" in line 15, and the word "price" in line 16, and insert the words "cost and expense."

Amend section 3 by inserting after the word "act" in line 1 the words "or such portion of such bonds as may remain unsold if same is ordered as hereinafter provided."

In line 5 after the word "costs" add the words "and expense."

Amend section 4 by striking out the words "to be" in line 8.

Amend section 5 line 6 after the word "consecutive" by inserting the words "daily or two consecutive weekly," and strike out the words "Sundays excluded," following thereafter.

Strike out the last word in line 7 and insert the word "may."

Strike out of lines 14 and 15 the words "at the rate provided in the ordinance levying the assessment up."

Insert after the word "payment" in line 18 the words "of the cost and expense."

Strike out all of section 6 down to and including the word "and" in line 9.

Amend section 7 by striking out the words "are due" and insert therein the words "shall become due." Strike out the word "that" following.

In line 11 strike out the word "will" and insert the word "shall."

Amend section 9 by striking out the words "the holder" in line 1 and insert "that neither the holder nor owner." Strike out the word "no" in said line and insert the word "any."

In line 2 strike out the words "in any event" and the words following in said line to-wit: "Collections of the," in line 2 and 3.

In line 4 in lieu of the words "no payment" insert "non payment."

Amend section 10 by striking out the last seven words of said section and insert the words "authorized by this act."

Add to section 12 the following: "And provided further that such

repeal shall not be deemed to impair the obligation of any bond issued under said repealed act."

Strike out section 13 and insert the following: "An emergency exists, and this act shall take effect immediately."

Respectfully submitted: W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, C. A. Mantz, John H. Carper, F. M. Baum.

On motion of Senator Plummer the report was adopted.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 100, entitled "An act to adopt Ballinger's Annotated Statutes and Codes of Washington as the official code of this state," and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the following bill be substituted in lieu of Senate bill No. 100:

AN ACT

To adopt Ballinger's Annotated Statutes and Codes of Washington as an official compilation, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That the compilation arranged by R. A. Ballinger, and known as Ballinger's Annotated Codes and Statutes of Washington, two volumes, is hereby adopted as an official compilation of existing statutes of the state, up to and including the year 1897, but of no greater authority than other existing official compilations or session laws of the state.

SEC. 2. It shall be proper for the legislature in amending or repealing existing statutes, and for the courts in referring to existing statutes, to refer to or cite Ballinger's Annotated Codes and Statutes of Washington, containing such law.

SEC. 3. An emergency exists, and this act shall take effect immediately.

And recommend that said bill do pass, and that Senate bill No. 100 be indefinitely postponed.

Respectfully submitted. W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, C. A. Mantz, John H. Carper, F. M. Baum.

On motion of Senator Plummer, the report was adopted.

OLYMPIA, January 27, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 28, entitled "An act to regulate the practice of barbering, the licensing of persons to carry on such practice, and to insure the better education of such practitioners in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended.

Strike out the words "a bill for" from the title.

In Sec. 2, line 11, strike out words and figures "five thousand (5,000)" and insert in lieu thereof the words and figures "two thousand five hundred (2,500)."

In Sec. 2, line 15, add the letter "d" to the word "decease."

In Sec. 3, line 2, strike out the word "Seattle" and insert in lieu thereof the words "such place as the board may designate."

In Sec. 5, line 6, strike out the words and figures "two hundred and fifty (250)" and insert in lieu thereof the words and figures "five hundred (500)."

In Sec. 6 strike out lines 3 and 4 and insert in lieu thereof the words "and it shall be the duty of the secretary, before each meeting, to notify all applicants at least twenty (20) days before such meeting when and where the same shall be held."

In Sec. 7, line 1, after the word "barber" insert the syllable "ing."

In Sec. 7, lines 5 and 6, strike out the words "thereupon shall be issued to him" and insert in lieu thereof the words "for the calendar year ending December thirty-first shall thereupon be issued to him, and the holder of such certificate shall make application for the renewal of the same on or before January fifteenth of each year and pay to the secretary of said board one dollar (\$1) therefor."

In Sec. 8, line 11, strike out the words "his ability in."

In Sec. 8, line 16, after the word "state" add the words "to the close of the calendar year ending December thirty-first."

In Sec. 8 strike out lines 17, 18, 19 and 20.

Strike out Sec. 15.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: E. Hammer, J. A. Davis.

On motion of Senator Land the report was adopted.

OLYMPIA, February 2, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing to whom was referred Senate bill No. 84, entitled "An act for the relief of Captain James Ross and declaring an emergency," have had same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer.

On motion of Senator Keith the report was adopted.

OLYMPIA, February 2, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred bills for supplies, labor, etc., presented by H. Sabin, \$13,50 for locks and drawers; Mills & Cowles, 70 cents for hat and coat hooks, etc.; E. D. Peasley, \$40,50 for kalsomining capitol building; Talcott Bros., \$35,50 for two electric clocks and two thermometers; Bates Bros., \$28,75 for mirrors and office chairs; Geo. T. Burfoot \$3,50 for shoveling snow; F. M. Canaday, \$55,15 for shoveling snow from capitol building; have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that they be paid in full.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer.

On motion of Senator Keith the report was adopted.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 72, entitled "An act making an appropriation for the maintenance of grain inspection, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report: Daniel Paul, C. F. Clapp, D. E. Biggs, John H. Carper, W. E. Runner, Paul Land.

On motion of Senator Hall the report was adopted.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 40, entitled "An act to amend section 2 of an act entitled 'An act authorizing cities towns and counties to purchase, construct and maintain ferries, approved March 20, 1895,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. H. Plummer, Geo. D. Schofield, Herman D. Crow.

On motion of Senator T. J. Miller the report was adopted.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 45, entitled "An act amending section 1 of an act entitled 'An act relating to and authorizing the collection of assessments, etc.,' amending section 1 of an act entitled 'An act relating to and authorizing the collection of assessments for local improvements by a new assessment or re-assessment of the cost and expense of making same in cities and towns, and declaring an emergency, approved March 9, 1893,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

THOS. J. MILLER, Chairman.

We concur in this report: W. H. Plummer, Herman D. Crow, Geo. D. Schofield.

On motion of Senator T. J. Miller, the report was adopted.

OLYMPIA, February 2, 1899.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred House bill No. 120, entitled "An act for rendering available the endowment of the Agricultural College, Experiment Station and School of

Science of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report: Daniel Paul, D. E. Biggs, W. E. Runner.

On motion of Senator David Miller, the report was adopted.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol building, and for the reduction of the cost thereof by changing the original plans, providing for payment of interest, and making an appropriation therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House concurrent resolution No. 1, entitled "Greeting to President McKinley," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the Senate take up the resolution in regular order and give the same careful and considerate attention.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

On motion of Senator Andrews, the report was adopted.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint resolution No. 13, entitled "Joint resolution requesting senators from State of Washington to ratify 'Treaty of Paris,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the Senate take up the resolution in regular order and give the same careful and considerate attention.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

On motion of Senator Andrews the report was adopted.

The following messages were received from the House:

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

The House has passed House bill No. 49, entitled "An act to create and organize the County of Ferry." Also House joint memorial No. 7, entitled "Memorial to the Congress of the United States praying the submission of an amendment to the constitution by which United States senators shall be elected by a direct vote of the people.

Also, House bill No. 14, entitled "An act relating to exemptions of personal property."

Also, House bill No. 17, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1900, relating to taxation."

Also, House bill No. 25, entitled "An act to amend section thirty-three of an act entitled 'An act to provide for the establishment and creation of drainage districts and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, etc.'"

Also, House bill No. 95, entitled "An act relating to the appointment of guardian *ad litem* of insane persons."

Also, House bill No. 100, entitled "An act authorizing municipal corporations to provide for the acceptance of warrants upon local improvement funds in satisfaction of assessments for local improvements."

Also, House bill No. 65, entitled "An act relating to assessments and collection of taxes."

Also, House bill No. 6, entitled "An act to provide for the admission of Indian war veterans to the Soldiers' Home."

Also, passed House bill No. 170, entitled "An act authorizing the Boards of County Commissioners of the several counties of the State of Washington to audit and order warrants drawn in favor of all persons who are employed in the survey, laying out or construction of public roads, etc."

Also, House bill No. 237, entitled "An act to amend section 4 of chapter 3, of Title I., and section 72 of chapter 2, Title III., of the Code of Public Instruction, approved March 19, 1897, etc."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The following waiver of right of action against the State of Washington was read by the secretary :

WHEREAS, There is in the minds of some members of the Washington State Legislature, the question whether the enactment of Senate bill No. 99, entitled: "An act for expediting the completion of the State Capitol Building and for the reduction of the cost thereof by changing the original plans, providing for payment of interest and making an appropriation therefor," would be construed as a breach of the contract if any between F. H. Goss and the State of Washington for the construction of the State Capitol building and give said Goss an action for damages for reason thereof,

Now, therefore, I, F. H. Goss, hereby agree with the State of Washington, that in no event shall I ever claim the enactment of said act to be, or constitute a breach or violation on the part of the State of Washington of the existing contract if any between me and the State of Washington for the construction of the Capitol Building and I hereby waive any breach of said contract in so far as said act becoming a law might operate as a breach of said contract reserving, however, all rights and actions and causes of actions that have accrued or that may

hereafter accrue by reason of any previous or subsequent or other act on the part of the State of Washington or its officers or representatives outside of the passing of the law heretofore referred to.

Herbert Bashford, witness.

F. H. GOSS.

Dated Olympia, Wash., February 2, 1899.

This is an effective waiver of any right of action that might accrue because of the enactment of the bill above described. It being no waiver of any right which may accrue because of any acts done under said bill if it become law.

THOS. M. VANCE, Ass't Atty Gen'l.

On motion of Senator Plummer the secretary was instructed to incorporate the waiver in the journal and file the original with the State Auditor.

Senator Plummer moved to place Senate bill No. 100, entitled "An act to adopt Ballinger's Annotated Codes and Statutes of Washington as the official code of this state, and declaring an emergency," on final passage.

The motion was carried.

The bill was read the third time by sections and passed by the following vote: Yeas 23, nays 6, absent or not voting 5, total 34.

Those voting yea were Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hamilton, Hammer, Hemrich, High, Hill, LeCrone, Mantz, McReavy, Miller David, Paul, Plummer, Preston, Schofield, Van Patten and Yeend—23.

Those voting nay were: Senators Davis, Hall, Keith, Land, Reinhart, and Runner—6.

Those absent or not voting were: Senators Megler, Miller T. J., Warburton, Wilshire and Wooding—5.

The emergency clause passed by the following vote: Yeas 24, nays 3, absent or not voting 7, total 34.

Those voting yea were Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, LeCrone, Mantz, McReavy, Miller David, Paul, Plummer, Preston, Reinhart, Schofield, Van Patten and Yeend—24.

Those voting nay were Senators Davis, Keith and Land—3.

Those absent or not voting were Senators Clapp, Megler, Miller T. J., Runner, Warburton, Wilshire and Wooding—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer the rules were suspended and the bill ordered immediately transmitted to the House.

The president announced the appointment of Senator Keith as the additional member of the Committee on Enrolled Bills.

Senator Hamilton extended an invitation on behalf of United States Senator-elect, Addison G. Foster, to the members of the Senate, the president and the secretary, and the members of the press to attend a reception to be given at the Hotel Tacoma, on Tuesday evening February the 7th.

The following communication was read by the secretary.

OLYMPIA, February 3, 1899.

To the Honorable members of the Senate of Washington:

GENTLEMEN — The Olympia Entertainment Club, which has been organized for the purpose of extending to you the social courtesies of Olympia, presents complements, and extends to you a cordial invitation to attend, as guests of the city, a series of weekly hops, which will take place at the Hotel Olympia, every Friday evening during the remainder of the legislative session. Very respectfully,

COMMITTEE ON ARRANGEMENTS.

By P. H. CARLYON, Chairman.

On motion of Senator T. J. Miller, Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol Building and for the reduction of the cost thereof by changing the original plans, providing for payment of interest, and making an appropriation," was read the third time by sections and placed on its final passage, and passed by the following vote: Yeas 25, nay 3, absent or not voting 6, total 34.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, and Yeend — 25.

Those voting nay were: Senators Andrews, Preston, and Schofield — 3.

Absent or not voting were: Senators Hemrich, Runner, Van Patten, Warburton, Wilshire, and Wooding — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Milier, the rules were suspended and the bill was immediately transmitted to the House.

The following remonstrance to House bill No. 49, entitled "A bill for an act to create and organize the County of Ferry," signed by J. B. Reynolds and about 500 others, was presented by Senators Biggs and Mantz, and referred to the Judiciary Committee.

Senator Hamilton moved that when the Senate do adjourn it be until Monday at 11 o'clock A. M.

The motion was carried.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 130, by Senator Baum: An act providing for a state wagon road beginning at a point on the Columbia River, opposite the town of Kettle Falls, in Stevens county; thence following the road as surveyed by order of Board of County Commissioners of Stevens county, the survey of which is of record in the Auditor's office of said Stevens county, as near as practicable to the town of Republic, in the Colville Indian Reservation, through Sherman Pass; thence in a westerly direction to the Okanogan River at a point about one mile north and opposite the mouth of Johnson creek, in Okanogan county; thence in a westerly direction along the state road as heretofore laid out and established from a point about three miles South of Best's ranch on Bonaparte creek to the east bank of the Methow river; thence across said Methow river at the most practicable bridge site near the mouth of the Twisp river to be selected; thence in a westerly direction over the road already laid out and established across the Twisp pass to the bridge on bridge creek, near the mouth of said creek; thence in a southeasterly direction to Stehekin landing, at the mouth of the Stehekin river, at the head of lake Chelan; thence from the bridge, near the mouth of Bridge creek, in a westerly direction over and across the summit of the Cascade mountains, as said road has heretofore been laid out and established, to a point on the Skagit river, opposite the town of Marble Mount, in Skagit county, making an appropriation therefor, creating a road commission and declaring an emergency.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 131, by Senator Keith: An act licensing the use of all mechanical contrivances known as "Nickle-in-the-Slot" machines, and providing for the enforcement of this act.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read second time by title, and referred to Committee on Education.

Senate bill No. 132, by Senator Hammer: An act providing for a public highway beginning at the western terminus of what is known as "Heart road," near Ventura, Okanogan county, thence westerly, following what is known as "Heart trail," over and across the Cascade range of mountains via Slate creek pass, to a point on the north fork of the north fork of Slate creek, known as Vera Cruz, in Whatcom county; thence westerly, following as nearly as may be the existing trail down the valleys of Slate creek and its tributaries, and Canyon creek and Ruby creek to a point in Whatcom county where Ruby creek joins the Skagit river, and thence southwesterly following as nearly as may be the existing trail down the Skagit river valley, to a connection with the present wagon road near Marble Mount, in Skagit county; providing for a commission to lay out and construct the same, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, bill read the second time by title and referred to Committee on Roads and Bridges.

Senate bill No. 133, by Senator Crow: An act to prevent the removal of fixtures or permanent improvements from real estate which is subject to mortgage or other liens, without the consent of the owner or holder of such liens, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended and the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 134, by Senator Crow: An act repealing an act entitled "An act granting to judgment debtors the right of possession, rents, issues, and profits of real estate and premises sold under execution during the period of redemption, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 135, by Senator Crow: An act repealing an act entitled "An act relating to deficiency judgments," passed March 10, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title and referred to Committee on Judiciary.

House bill No. 6, by Mr. Daniels: An act to provide for the admission of Indian war veterans in the Soldiers' Home.

The bill was read the first time, the rules suspended, read the second time by title and referred to the Committee on Military.

House bill No. 17, by Mr. Falknor: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1900, relative to taxation.

The bill was read the first time, the rules suspended, bill read second time by title and referred to Committee on Constitutional Revision.

House bill No. 100, by Mr. Pratt: An act authorizing municipal corporations to provide for the acceptance of warrants upon local improvement funds in satisfaction of assessments for local improvements.

The bill was read the first time, the rules suspended, bill read the second time and referred to Committee on Municipal Corporations.

House bill No. 237, by Mr. Pendergast: An act to amend section 4 of Chapter 3 of Title 1 and section 72 of Chapter 2 of Title 3 of the Code of Public Instruction, approved March 19, 1897, and declaring an emergency.

The bill was read the first time, the rules were suspended, the bill read the second time by title and referred to Committee on Education.

House bill No. 170, by Mr. Welty: An act authorizing the boards of county commissioners of the several counties of the State of Washington, to audit and order warrants drawn in favor of all persons who were employed in the survey, laying out, or construction of public roads, or roads which are now used by the public in any county in the State of Washington, such survey, laying out, or construction having been done by order of the superior court or board of county commissioners in such county, under Chapter 98, page 237 of the Session Laws of 1893, and declaring an emergency.

The bill was read the first time; rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

House bill No. 65, by Mr. Baldwin: An act relating to the assessment and collection of taxes.

The bill was read the first time; the rules were suspended, the

bill read the second time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 49, by Mr. Mount: A bill for an act to create and organize the county of Ferry, and declaring an emergency.

The bill was read the first time; rules were suspended, the bill read the second time by title and referred to Committee on Judiciary.

House bill No. 25, by Mr. Somerindyke: An act to amend section 33 of an act entitled "An act to provide for the establishment and creation of drainage districts, and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, and declaring an emergency," approved March 20, 1895.

Bill was read the first time; the rules suspended, bill read the second time by title and referred to Committee on Dikes, Drains and Drainage.

House bill No. 95, by Mr. Sheller: An act relating to the appointment of guardian ad litem of insane persons.

Bill was read the first time; the rules suspended, bill read the second time by title and referred to Committee on Judiciary.

House bill No. 14, by Mr. Falknor: An act amending section 1 of an act entitled "An act relating to exemptions of personal property," approved March 11, 1897.

Bill was read the first time; rules were suspended, bill read the second time by title and referred to Committee on Judiciary.

House joint memorial No. 7, Relating to the election of United States Senators by direct vote of the people, was read the first time.

On motion of Senator Megler, the memorial was laid on the table.

Senate memorial No. 2, Relating to American merchant marine, was read the third time.

On motion of Senator Andrews the memorial was placed on final passage, and failed to pass by the following vote: Yeas 15, nays 3, absent or not voting 16, total 34.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, Keith, LeCrone, Megler, Schofield, and Van Patten—15.

Those voting nay were: Senators Cole, Land, and Reinhart—3.

Those absent or not voting were: Senators Baum, Davis, High,

Hill, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Warburton, Wilshire, Wooding, and Yeend — 16.

The following communication was received from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 2, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Wash:

SIR:—I have the honor to inform you that the Governor has this day approved Senate bill No. 10, entitled "An act to amend section 8 of an act entitled 'An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, etc.'"

Yours respectfully,

J. H. PELLETIER,
Governor's Private Secretary.

House joint resolution No. 12: Relating to a bill now pending in congress to promote commerce and increase foreign trade, was read the third time.

On motion of Senator Plummer the resolution was placed on final passage and passed by the following vote: Yeas 21, nays 1, absent or not voting 12, total 34.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Keith, LeCrone, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, and Van Patten — 21.

Senator Land voted nay.

Absent or not voting were: Senators Baum, Cole, High, Hill, Mantz, Miller David, Reinhart, Runner, Warburton, Wilshire, Wooding, and Yend — 12.

On motion of Senator Van Patten, at 11:55 A. M., the Senate adjourned till Monday, at 11 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate

THURSTON DANIELS,
President of the Senate.

TWENTY-NINTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 6, 1899, }
11 o'clock A. M.

President Daniels called the Senate to order at 11 A. M., pursuant to adjournment.

The secretary called the roll all members being present except Senators Baker, Baum, Carper, Crow, Hammer, High, Paul, Plummer, Runner, Schofield, and Wooding, who were excused.

Senator Wooding was excused for one week on account of sickness.

The journal of Friday was read and approved.

The following petition was read by the secretary.

A PETITION.

To the Honorable Senators and Representatives of the State of Washington, Legislature assembled, Olympia, Wash.:

We, the undersigned citizens of Stevens County, Washington, believing that the division of the said county at this time would be unwise and unjust and detrimental to the best interests of the citizens of said county—as well to those residing within the limits of the proposed new county as to those residing in the other part—hereby express our disapprobation of that certain bill introduced in the House of Representatives, providing for the creation of the new County of Eureka out of that part of the present County of Stevens, lying west of the Columbia and Kettle rivers and comprising the Colville Indian Reservation, and remonstrate against the passage of said bill or of any other bill of a like nature, and ask that the said bill be defeated, and not allowed to become a law.

Signed by S. B. Reynolds and 85 others.

On motion of Senator Mantz the petition was referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

Senate bill No. 136, by Senator Land: An act providing that before any corporation can reorganize under the laws of this state, all claims and judgments for wages or damages shall be first paid off and satisfied.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time

by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 137, by Senator Mantz: To amend sections 68, 82 and 106 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington."

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Senator Cole moved to reconsider the vote by which Senate joint memorial No. 2 failed to pass.

The motion prevailed.

On motion of Senator Cole, the memorial was recommitted to the Committee on Memorials.

The secretary was instructed to notify the index clerk to insert in the index the names of committees to which bills are referred.

On motion of Senator Keith, House joint resolution No. 13, requesting Senators from the State of Washington to ratify the treaty of Paris, was placed on its final passage and failed to pass by the following vote: Yeas 11, nays 6, absent or not voting 17.

Those voting yea were: Senators Andrews, Clapp, Davis, Hemrich, Keith, LeCrone, Megler, Preston, Van Patten, Warburton, and Wilshire — 11.

Those voting nay were: Senators Hall, Hamilton, Mantz, McReavy, Paul, and Reinhart — 6.

Those absent or not voting were: Senators Baker, Baum, Biggs, Carper, Cole, Crow, Hammer, High, Hill, Land, Miller David, Miller T. J., Plummer, Runner, Schofield, Wooding, and Yeend — 17.

Senator Hamilton gave notice that at the proper time he would move to reconsider the vote by which the resolution failed to pass.

House Bill No. 40, an act to amend "An act authorizing cities, towns and counties to purchase, construct and maintain ferries" approved March 20, 1895, was read by the secretary.

Senator Warburton moved to amend by striking the words "or condemn and purchase" in lines 4 and 5, section 2 of the printed bill.

The motion was lost.

On motion of Senator Warburton the bill was recommitted to the Committee on Municipal Corporations.

House bill No. 120, an act for rendering available the endowment of the Agricultural College, Experiment Station and School of Science of the State of Washington" and declaring an emergency, was read the third time and on motion of Senator David Miller the bill was placed on its final passage, and passed by the following vote: Yeas 21, absent or not voting 13.

Those voting yea were: Senators Andrews, Biggs, Clapp, Cole, Davis, Hall, Hamilton, Hemrich, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Warburton, Wilshire and Yeend—21.

Absent or not voting were: Senators Baker, Baum, Carper, Crow, Hammer, High, Keith, Land, Plummer, Runner, Schofield, Van Patten and Wooding—13.

The emergency clause failed to pass by the following vote: Yeas 20, nays 2, absent or not voting 12.

Those voting yea were: Senators Andrews, Biggs, Clapp, Cole, Davis, Hamilton, Hemrich, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Van Patten, Warburton, Wilshire and Yeend—20.

Those voting nay were: Senators Hall and Hill—2.

Those absent or not voting were: Senators Baker, Baum, Carper, Crow, Hammer, High, Keith, Land, Plummer, Runner, Schofield and Wooding—12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 104, entitled "An act to amend an act entitled 'An act relating to maintenance, repairs and renewal of sidewalks in cities of the first, second or third classes, and providing for payment therefor by the owners of abutting property and declaring an emergency,' approved March 21 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be amended by striking out word "the" and inserting in lieu thereof word "that," section 1, line 9, word 3 of printed bill. Strike out word "said" before sidewalk, section 1, line 16 of printed bill. Insert word "of" after word "front," section 1, line 26 of printed bill, and that the bill as amended do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, David Miller, W. H. Plummer, Herman D. Crow.

On motion of Senator T. J. Miller the report was adopted.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred Senate bill No. 67, entitled "An act amending section 69 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, being chapter 89, Session Laws of 1897, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

J. A. DAVIS, Chairman.

We concur in this report: David Miller, J. C. Van Patten, L. B. Andrews.

On motion of Senator Davis the report was adopted.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred Senate bill No. 50, entitled "An act to amend section 30 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, defining their duties and making an appropriation therefor, and declaring an emergency,'" being chapter 89, Session Laws of 1897, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

J. A. DAVIS, Chairman.

We concur in this report: David Miller, J. C. Van Patten, L. B. Andrews.

On motion of Senator Davis the report was adopted.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint Memorial No. 4, relating to settlers within the granted limits of the Northern Pacific Railroad Company in Clarke and Cowlitz counties, have had the same under consideration, and we respectfully report the

same back to the Senate, with the recommendation that the memorial be amended as follows, and passed :

Strike out the word "repealed" at the end of the last paragraph but one of the printed memorial and insert the word "amended."

Strike out the word "repealed" in the second line of the last paragraph of the printed memorial, and insert the following :

"Amended by eliminating from the second proviso thereof the provision that the company 'shall not be bound to relinquish lands sold or contracted by it.'"

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

On motion of Senator Megler, the report of the committee and the memorial were placed on general file.

On motion of Senator Cole, the Senate adjourned at 12:10 P. M. until tomorrow at 10 A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 7, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators McReavy and Wooding, who were excused.

The journal of yesterday was read and approved.

Senate concurrent resolution No. 11, by Senator Plummer, was read by the secretary.

WHEREAS, It has been ascertained by cable dispatches that an engagement which took place on the nights of February 4th and 5th, near Manila, Philippine Islands, between the Philippine insurgents and the American troops; and

WHEREAS, We are also informed that our regiment, the First Washington Volunteers, exhibited extraordinary bravery, marked ability and gallant heroism in the long battle which ensued, being placed in such a position as to receive a most relentless fire; and

WHEREAS, Lieutenant E. K. Irwin, John Klein, William R. Fait,

James F. Good, R. H. McLain, and Oscar Sowards, all of Company A, First Washington Regiment of Spokane, Washington, were wounded during said battle while bravely, loyally and gallantly performing their duties: Now, therefore,

Be it Resolved by the Senate and House of Representatives of the State of Washington: 1st. That the State of Washington extends to its honored wounded the sincere and most profound regrets of its citizens, and trust an early and complete recovery from their injuries will be realized; and be it further

Resolved, That the citizens of the state are proud of its volunteers, and the acts of the officers and men of the First Washington Regiment in the recent battle of Manila are especially commendable, and we trust that their deeds of valor and bravery will be recognized by the general government in a substantial manner; and be it further

Resolved, That an enrolled copy of these resolutions be transmitted to Lieutenant E. K. Irwin, privates John Klein, Wm. R. Fait, James F. Good, R. H. McLain, and Oscar Sowards, of Company A, First Washington Regiment, as a testimonial of their sacrifices and services, and these proceedings be given the press for publication.

On motion of Senator Wilshire, the resolution was referred to the Committee on Memorials.

The following message was received from the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, February 7, 1899.

MR. PRESIDENT:

The House has passed House bill No. 20, entitled "An act providing for the determination of adverse claims to real estate and water rights."

Also, House bill No. 195, entitled "An act to provide against the adulteration of food."

Also, House bill No. 230, entitled "An act to remit delinquent taxes, penalty and interest on charitable institutions," and the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORT OF STANDING COMMITTEES.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 7, entitled "An act for protection against the spread of Canada and Russian thistles, and for the destruction of the same, and for the payment of costs for destroying same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: In lines 2 and 3, section 1, printed bill, strike out the words "or on the highway or highways passing by or through the same." In line 1, section 2, printed bill, strike the word "and." In lines 2 and 3, strike the words "or on the highways passing by or through the same." Amend section 3 by adding

thereto the following: "And provided that in the case of Canada or Russian thistles growing on the right-of-way of any railroad said notice required in this section shall be served upon the section foreman who has charge of that portion of the right-of-way where said Canada or Russian thistles may be growing." In line 1, section 6, strike out the words "in that" and insert in lieu thereof the word "and." In line 3, between the words "the" and "town" insert the words "city or." In section 7, line 1, strike the word "keep" and insert "destroy" in lieu thereof. Insert after word "thistles" the words "and prevent the same." Strike out section 8. And as so amended do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: Geo. H. Baker, J. C. Van Patten, Joseph Hill.

On motion of Senator Hall the report was adopted.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 77, entitled, "An act for the protection of persons working in coal mines, and amending an act entitled 'An act for the protection of persons working in coal mines,' approved March 6, 1897," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: Thos. J. Miller, S. Warburton.

Senator Warburton moved the adoption of the report.

Senator Cole moved to amend that the bill be placed on general file.

The amendment was carried.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 78, entitled "An act concerning the Coal Mine Inspector, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, and that the substitute herewith submitted do pass.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: Thos. J. Miller, S. Warburton.

On motion of Senator Land, the report was adopted.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill read the second time by title and referred to the Committee on Labor and Labor Statistics.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 108, entitled "An act for the reformation of criminals, and providing for employment of those leaving the prisons of the State of Washington, and the granting of paroles to prisoners," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed and that the substitute therefor herewith submitted do pass.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report: Herman D. Crow, S. Warburton, Dan Paul, Paul Land.

On motion of Senator Yeend the report was adopted and the bill placed on general file.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill read the second time by title and ordered printed.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 117, entitled "An act making an appropriation for the relief of H. S. Elliott, judge of the superior court of Lewis, Pacific and Wahkiakum counties," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis.

On motion of Senator Keith the report was adopted.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 96, entitled "An act making an appropriation for certain deficiencies of previous fiscal terms and for other purposes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill of James Demaris, line 9, section 1, of the printed bill, be reduced from \$23.95 to \$22.95, and that all the several amounts under the sub-division of "Judgments Against the State," section 1, lines 7 to 17, inclusive, be allowed without interest, as charged in the bill.

That under the sub-division "Traveling Expenses of Superior Judges," line 19, section 1, be amended to read as follows: "Sundry claims for fiscal period ending March 31, 1899, and previous fiscal periods, \$600," and that the several amounts under this sub-division, as so amended, from line 19 to 22, inclusive, be allowed without interest, as charged in the bill.

That under the sub-division "County Cost Bills in Convictions for

Felonies," line 24, section 1, be amended to read as follows: "Whatcom county \$1937.80, interest \$276.64, total \$2214.44," and that the several amounts under this sub-division as so amended, from lines 24 to 30, inclusive, be allowed in full with interest, as charged in the bill.

That under the sub-division "Miscellaneous Claims," line 32, section 1, in the matter of the bill of Thurston county, \$600 for rent, we recommend that a special committee be appointed to interview the Thurston county officials in relation thereto.

In the matter of the bill of the Washington State Board of Pilot Commissioners for \$660, line 33, section 1, we report that we desire further time for consideration.

That line 42, section 1, be stricken, and that the several amounts under sub-division "Miscellaneous Claims," as so amended, be allowed without interest, as charged in the bill, and that as so amended the bill do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis.

On motion of Senator Preston, the bill was recommitted back to the committee.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing to whom was referred Senate bill No. 86, entitled "An act making appropriation for the payment of judgments against the state for salaries due certain officers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis.

On motion of Senator Keith the report was adopted.

OLYMPIA, WASH., February 7, 1899.

MR. PRESIDENT:

We, your Committee on Memorials to whom was re-referred Senate joint memorial No. 2 entitled "American Merchant Marine," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation: Strike out all of lines 3, 4, 5, 6, 7 and 8, of the printed copy, and that the memorial so amended do pass.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

On motion of Senator Andrews the report was adopted.

OLYMPIA, February 7, 1899.

MR. PRESIDENT:

We, your committee on Judiciary, to whom was referred House bill No. 50, entitled "A bill for an act for the protection of orphan, homeless, neglected and abused children, and declaring an emergency," have had the same under consideration, and we respectfully report the same

back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, line 8, strike out the first word "and."

In section 1, line 22, strike out the word "while" and insert the word "when."

In the same line, strike out the words "is in its control," and insert the words "has been surrendered to it in accordance with any of the preceding provisions, and is still in its control."

In section 1, line 23, strike out the word "such" and insert the word "the."

In the same line, after the word "control," insert the words "of any such child."

In the same line, after the word "corporation," insert the words "or by any other corporation, institution, society or person."

In section 2, line 11, insert after the words "can be had" the words "such proceedings shall have precedence of other causes."

In section 3, line 3, strike out the words "incorporated society" and insert the words "family, or any benevolent society or corporation"

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: S. Warburton, Geo. D. Schofield, Herman D. Crow, F. M. Baum, Harold Preston.

On motion of Senator Andrews, the report was adopted.

On motion of Senator Hall, the vote by which the emergency clause of House bill No. 120 failed to pass, was reconsidered.

The emergency clause was then passed by the following vote: Yeas 27, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hemrich, Hill, Keith, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 27.

Absent or not voting: Senators Carper, Hammer, High, Land, McReavy, Runner, and Wooding — 7.

REPORT OF SENATE JUDICIARY COMMITTEE ON HOUSE BILL No. 23.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 23, entitled "An act relating to trials," hereby report thereon that we recommend the indefinite postponement thereof, and the adoption of the bill herewith returned as a substitute therefor by your committee.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, F. M. Baum, S. Warburton, Geo. D. Schofield, John I. Yeend, Herman D. Crow, C. A. Mantz.

On motion of Senator Plummer, the report was adopted.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title and placed on general file.

On motion of Senator Andrews, House bill No. 50, "An act for the protection of orphans, homeless, neglected and abused children, and declaring an emergency," was read by the secretary.

The president called Senator Davis to the chair.

Senator Preston moved to amend by striking out the word "minor" in line 4, section 1, and insert after the word "children" the words "under fourteen years of age."

The amendment was carried.

On motion of Senator Andrews, the consideration of the bill was deferred, subject to the call of the Senate.

Senate bill No. 104, by Senator Megler, was read by the secretary: An act to amend an act entitled "An act relating to maintenance, repairs and renewals of sidewalks in cities of the first, second or third class, and providing for payment therefor by the owners of abutting property, and declaring an emergency."

Senator Preston moved to amend section 1, line 23, by striking out the words "the sides" and substituting the words "that side."

The motion prevailed.

Senator Preston moved to amend line 1, section 1, by inserting after the word "act" the words "entitled an act."

The motion prevailed.

Senator Preston moved to amend title by inserting in line 1 thereof, after the word "amend," the words "section 1 of."

The motion prevailed.

On motion of Senator Megler, the bill was referred to the Committee on Engrossed Bills.

Senate bill No. 27, by Senator Crow, was read by the secretary: An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, repealing an act entitled "An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency," approved March 9, 1893, and declaring an emergency.

On motion of Senator Crow, section 8, line 1, was amended by striking out the word "that."

On motion of Senator Crow, the bill was referred to the Committee on Engrossed Bills.

INTRODUCTION OF BILLS.

Senate bill No. 138, by Senator High: An act for the relief of O. M. Hidden.

The bill was read the first time; and, on motion of Senator High the rules were suspended, the bill read the second time by title and referred to the Committee on Claims and Auditing.

Senate bill No. 139, by Senator Plummer: An act to amend section 4869 of Ballinger's Annotated Code of the State of Washington, and relating to the commencement of civil actions and the service of summons therein.

The bill was read the first time; and on motion of Senator Plummer the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 140, by Senator Baum: An act to provide for the establishment and maintenance of a state road from the town of Wenatche, in Kittitas county, thence northerly along the west bank of the Columbia river by the bridge across the Wenatche river (the same formerly being a ferry), to the mouth of, and across at the most practical bridge site, near the mouth thereof, of the mouth of the Methow river, thence northerly along the line of said river by the most practicable route to the mouth of the Twisp river in Okanogan county, making an appropriation therefor, creating a commission and declaring an emergency.

The bill was read the first time; and on motion of Senator Baum the rules were suspended, the bill read the second time by title and referred to the Committee on Roads and Bridges.

Senate bill No. 141, by Senator Schofield: An act to amend section 16 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890, and the same being section 508 of volume 1 of Hill's Code, and declaring an emergency.

The bill was read the first time; and on motion of Senator Schofield the rules were suspended, the bill read the second time by title and referred to the Committee on Municipal Corporations.

The president resumed the chair, and Senate bill No. 67, by Senator Davis: An act amending section 69 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," approved March 16, 1897, being chapter 89, Session Laws of 1897, was read by the secretary.

Senator Preston moved to amend by striking the words "national and state" and the words "at par" and the word "and" in line 10, section 1, and insert in lieu of the word "and" after the word "States" the word "or," and insert after the words "of this state" the words "at not more than par."

The motion prevailed.

Senator Preston moved to amend by striking out the words beginning with the word "and" in line 11, section 1, and ending with the word "Washington," in line 13, section 1, and insert in lieu thereof "or in bonds of counties, cities or school districts of this state at not more than par, bearing interest at not less than four per cent. per annum."

Senator Schofield moved an amendment to the amendment that the word "cities" be eliminated from the amendment.

The amendment to the amendment was lost.

The question recurring on the original amendment it was declared carried.

Senator Wilshire moved to amend by striking the words "at not more than par" in line 10, section 1.

The motion was lost.

Senator Cole moved that the bill be recommitted to the committee.

The motion was lost.

On motion of Senator Davis the bill was referred to the Engrossing Committee.

Senator Andrews was excused until to-morrow.

By unanimous consent of the Senate the committee on Memorials made the following report:

OLYMPIA, February 7, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred memorial relating to the battle near Manilla, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the attached memorial be adopted as a substitute.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

WHEREAS, It has been ascertained by cable dispatches that at an engagement which took place on the night of February 4th and 5th, near Manila, Philippine Islands, between the Philippine insurgents and American troops, and

WHEREAS, We are also informed that our regiment, the First Washington Volunteers, exhibited extraordinary bravery, marked ability and gallant heroism in the long battle which ensued, being placed in such a position as to receive a most relentless fire, and

WHEREAS, Corporal George W. McGowan, Privates Ralph W. Symonds, of Company A, George Reichart, Frank Smith, Matties H. Cherry, Sherman Harding and Edward H. Perry of Company I, Walter N. Hanson, Company L, Arnold H. Meekel, Company H, were killed, and Lieutenant E. K. Erwin, John Klein, William R. Fait, James F. Greeb, R. H. McClain and Oscar Howards, all of Company A, First Washington regiment, were wounded during said battle, while bravely, loyally and gallantly performing their duties: now, therefore, be it

Resolved, By the Senate and House of Representatives of the State of Washington, that the State of Washington extend to the relatives and friends of these brave soldiers, who willingly laid down their lives in the performance of their duties, its deepest and most profound sympathy, and to its honored wounded the sincere regrets of its citizens and trust an early and complete recovery will be realized; and be it further

Resolved, That the citizens of the state are proud of its volunteers and the acts of the officers and men of the First Washington regiment in the recent battle at Manila, are especially commendable, and we trust that their deeds of valor and bravery will be recognized by the general government in a substantial manner; and, be it further

Resolved, That an enrolled copy of these resolutions be transmitted to J. H. Wholley, commander of the First Washington regiment, to Lieut. E. K. Erwin, Privates John Klein, William R. Fait, James F. Greeb, R. H. McClain and Oscar Howards, of Company A, First Washington regiment, and to the relatives of the dead heroes, as a testimonial of their sacrifices and services, and these proceedings be given the press for publication.

On motion of Senator Plummer, the report and the resolution was adopted.

On motion of Senator Plummer, the rules were suspended and the resolution immediately transmitted to the House.

The following resolution was introduced by Senator Megler:

Resolved, That the sergeant-at-arms be instructed to obtain from the state auditor one copy each of the Session Laws of 1893 and 1895, and that said copies have the mark of the state on each copy.

On motion of Senator Megler the resolution was adopted.

Senator T. J. Miller moved that the special order set for 2 p. m. today be postponed until 2 p. m. tomorrow.

Senator Keith moved to amend "that the special order be set for 2 p. m. Thursday."

The amendment was carried and the motion prevailed.

On motion of Senator Yeend the Senate adjourned at 12:45 P. M. until 2 P. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-FIRST DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 8, 1899. }
2 o'clock P. M.

President Daniels called the Senate to order at 2 P. M. pursuant to adjournment.

The secretary called the roll, all members being present except Senators Hall, Hemrich and Wooding who were excused.

The journal of yesterday was read and approved.

The following communications were read by the secretary:

To the Honorable the Senate and House of Representatives of the State of Washington:

At a meeting of the chamber of commerce and board of trade of the city of Tacoma held on the 6th day of February, 1899, the following resolution was unanimously adopted:

The chamber of commerce and board of trade of the city of Tacoma, having been advised of the introduction of House bill 258 in the legislature of this state, for an appropriation of \$10,000 to build a wagon road from Fairfax, on the Carbon river, to an intersection with the state road from Buckley to Yakima, on the White river, in the counties of Pierce and King, and knowing that said proposed road would open up a rich agricultural and mineral district which would be of great value in development of the resources of the state; therefore be it

Resolved, That this chamber earnestly request the legislature to pass said bill, and that the secretary be instructed to transmit a copy of this resolution to each member of the legislature.

Respectfully yours,

FRANK B. COLE,

President Tacoma Chamber of Commerce and Board of Trade.

Attest: C. P. FERRY, *Secretary.*

The communication was referred to the Committee on Roads and Bridges.

DENVER, COLO., February 3, 1899.

President of the Senate, Olympia, Washington.

DEAR SIR:—We believe that there are a number of counties, cities and school districts in the State of Washington which issued bonds soon

after the state was admitted into the Union, and that a large amount of these bonds will soon become optional and could be refunded at a much lower rate of interest. We enclose Senate bill No. 175 introduced in the Colorado legislature, and, will no doubt become a law, authorizing counties to refund their matured bonds or bonds which may become payable at the option of the county. So far as we know there is no such law in your state. This state will also authorize cities and school districts to refund where it can be done at a lower rate of interest, and we see no reason why a great many of the municipalities in your state should not avail themselves of the low interest rates which are prevailing throughout the country.

If bills authorizing the refunding of bonds in your state have been introduced or may hereafter be introduced, we should be pleased to receive printed copies of the same.

Thanking you in advance, we remain, yours truly,

E. H. ROLLINS & SONS.

On motion of Senator Megler the bill mentioned was referred to the Committee on Judiciary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, February 7, 1899.

To the Honorable the Senate of the State of Washington, Senate Chamber, Olympia, Washington:

GENTLEMEN:—I hand you herewith a concurrent resolution and memorial of the Senate and House of Representatives of the State of North Dakota, sent me for transmission to the legislature of the State of Washington, asking for the passage by your honorable body of a like concurrent resolution directed to the Senate and House of Representatives of the United States asking for the submission of an amendment to the constitution of the United States providing for election of United States senators by direct vote of the people.

The same is herewith respectfully submitted.

J. R. ROGERS, Governor.

On motion of Senator Keith the memorial was referred to the Committee on Memorials.

MESSAGES FROM THE HOUSE.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

The speaker of the House has signed House joint resolution No. 12, entitled "Memorial to the United States senators and representatives."

Also, House memorial No. 3, entitled "A memorial petitioning the United States Congress to appropriate \$20,000.00 to remove obstructions from Snake river.

The House has passed House bill No. 93, entitled "An act amending an act relating to proceeding supplemental to execution, and declaring an emergency.

Also, House bill No. 110, entitled "An act to amend sections 3, 10, 11 and 16 and repeal sections 7, 8 and 9 of an act providing for levying and collecting taxes on road districts for road purposes.

Also, House bill No. 130, entitled "An act for the protection of hotels and lodging houses."

Also, House bill No. 225, entitled "An act providing for the service of summons and complaints and notice in actions brought in a justice court in cities of five thousand or more inhabitants."

Also, House bill No. 228, entitled "An act fixing the venue of action in justice courts in cities of five thousand or more inhabitants."

Also, House bill No. 97, entitled "An act relating to sheriff's certificate of sale of real property and providing for the record of assignments of such certificates."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The following resolution was offered by Senator Plummer:

Resolved by the Senate, That the president of the Senate, in conjunction with the Adjutant General, obtain such information as is possible by wire as will advise the Senate of the condition of the officers and men of the First Washington Regiment, and that the expense be met as other legislative expenses.

On motion of Senator Plummer the resolution was adopted.

To the Senate and House of Representatives of the State of Washington:

Your committee appointed on division of county, respectfully submits the following:

WHEREAS, A a scheme is set on foot to divide Lincoln county, to make berths for certain politicians, be it

Resolved, By Union Grange No. 109, that we, the members of said Grange protest to such division, as being detrimental to the interests and welfare of its citizens.

Further, that the county is not yet too thickly populated nor too large to be properly governed by the present force of officers, but, that by any division of the same, the burden of taxation would be double as compared with the present ratio.

Therefore, we pray your honorable body to consider our protest favorably in refusing to sanction any division at the present time.

[Seal of Union Grange].

By ADOLPH HEBERLING.

On motion of Senator High, the petition was referred to the Committee on County and County Boundaries.

The president signed House Concurrent Resolution No. 12. A memorial to the United States Senate and Representatives; also House Memorial No. 3, petitioning the United States Congress to appropriate twenty thousand dollars to remove obstacles from Snake river.

RESOLUTION.

Resolved by the Senate, That for the purpose of making correction in erroneous laws as they now appear on our statute books, the Judiciary Committee be requested to present a repeal bill of section 149, Ballinger's Code, as said section is in direct opposition to section 4, article 8, of the State Constitution.

On motion of Senator Cole, the resolution was referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEES.

OLYMPIA, February 7, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 104, entitled "An act to amend section 1 of an act entitled 'An act relating to maintenance, repairs and renewal of sidewalks in cities of first, second or third class, and providing for payment therefor by the owners of abutting property, and declaring an emergency,' approved March 21, 1895," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

On motion of Senator Megler the report was adopted, and the bill placed on general file.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 27, entitled "An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, repealing an act entitled, 'An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefitted by local improvements, and declaring an emergency,' approved March 9, 1893, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

On motion of Senator Megler the report was adopted and the bill placed on general file.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 67, entitled "An act amending section 69 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States, creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required

by articles 15 and 16 of the state constitution,''' have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

On motion of Senator Mantz the report was adopted and the bill placed on general file.

INTRODUCTION OF BILLS.

House bill No. 110: An act to amend sections 3, 10, 11 and 16 and repeal sections 7, 8 and 9 of an act providing for levying and collecting taxes in road districts for road purposes.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 20: An act providing for the determination of adverse claims to real estate and water rights.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 93: An act amending an act relating to proceedings supplemental to execution, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 97: An act relating to sheriff's certificate of sale of real property and providing for the record of assignment of such certificate.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 130: An act for the protection of hotels, boarding and lodging houses.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 230: An act to remit delinquent taxes, penalty and interest on charitable institutions.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second by title, and referred to the Committee on Revenue and Taxation.

House bill No. 225: An act providing for the service of summons and complaints and notice in actions brought in a justice court in cities of five thousand or more inhabitants.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 226: An act fixing the venue of actions in justice courts in cities of five thousand or more inhabitants.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 195: An act to provide against the adulteration of food.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, and the bill read the second time by title, and referred to the Committee on Medicine, Dentistry, Surgery and Hygiene.

Senate bill No. 142, by Senator Keith: An act for the relief of Horatio Alling, chief clerk in the office of Secretary of State, making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 143, by Senator Clapp: An act to establish a state road, commencing at Port Angeles, Clallam county, and terminating at Hoquiam, Chehalis county, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Clapp, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 144, by Senator McReavy: An act amending section 2808 of Vol. 1 of Hill's Annotated Statutes and Codes of Washington, concerning the regulating, restraining, licensing or prohibiting the sale of intoxicating liquors.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Revenue and Taxation.

Senate bill No. 145, by Senator Wilshire (by request): An act entitled an act to amend "An act entitled an act to amend an

act entitled 'An act to amend sections 1436 and 1457, Hill's Code of Procedure of the State of Washington.'"

The bill was read the first time; and, on motion of Senator Wilshire, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 146, by Senator Hammer (by request): An act to provide for the establishment and maintenance of a state wagon road from Bird's View, in Skagit county, to Baker lake, in Whatcom county, following approximately the present trail; thence along the easterly shore of the lake to the point where the Baker river flows into the lake; thence along the easterly shore of Baker river as far as may be practicable, and making an appropriation therefor:

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 147, by Senator Plummer: An act requiring all corporations, companies and persons owning, operating or controlling or hereafter owning, operating or controlling any electrical lines, wires or cables through or over which is or may be conducted electrical currents in excess of five hundred volts to place all wires, lines, cables or other apparatus over or through which said electric current is conducted, under the surface of the ground at a depth of not less than two feet, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to Committee on Corporation other than Municipal.

Senate bill No. 148, by Senator Plummer: An act making it a felony for any police officer, constable, sheriff, or other person, to demand or receive from any person, company or corporation, any money or thing of value as a condition of any such person, company or corporation being permitted to or allow practice of prostitution, gambling or other unlawful acts, and providing a penalty for violation thereof.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senator T. J. Miller introduced the following resolution:

Resolved, That the Judiciary Committee be requested to prepare a bill amending our present election laws so as to remedy the defects made apparent in the contest of Gray vs. Mantz.

On motion of Senator T. J. Miller the resolution was referred to the Committee on Judiciary.

Senator Runner gave notice that to-morrow he would move to amend Rule No. 11 relating to keeping a record of the proceedings of the Committee of the Whole.

The president called president *pro tem* Senator High to the chair.

House bill No. 45, by Mr. Pratt: An act amending section 1 of an act entitled "An act relating to and authorizing the collection of assessments for local improvements by a new assessment or re-assessment of the cost and expense of making same in cities and towns, and declaring an emergency, approved March 9, 1893," and declaring an emergency," was read the third time by sections.

Senator Davis moved to amend by striking all of section 2, and inserting in lieu thereof the words "an emergency exists and this act shall take effect immediately."

The motion prevailed.

The bill then passed by the following vote: Yeas 28, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hammer, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire and Yeend — 28.

Absent or not voting: Senators, Hall, Hamilton, Hemrich, Mantz, Runner and Wooding — 6.

Senator Preston gave notice that at the proper time he would move to reconsider the vote by which the bill passed.

The emergency clause passed by the following vote:

Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hammer, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 25.

Those voting nay were: Senators High, and Reinhart—2.

Absent or not voting: Senators Davis, Hall, Hamilton, Hemrich, Mantz, Runner, and Wooding—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The president resumed the chair.

Senator Plummer moved that when the Senate adjourn it be at 4 P. M.

The motion prevailed.

Senator Land moved that the majority report of the Judiciary Committee on the Gray vs. Mantz senatorial contest be indefinitely postponed.

The motion was carried by the following vote:

Yeas 18, nays 10, absent or not voting 6.

Those voting yea were: Senators Biggs, Carper, Clapp, Cole, Davis, High, Hill, Keith, Land, McReavy, Miller David, Miller T. J., Paul, Preston, Reinhart, Runner, Van Patten, and Warburton—18.

Those voting nay were: Senators Andrews, Baker, Baum, Crow, Hammer, LeCrone, Megler, Schofield, Wilshire, and Yeend—10.

Those absent or not voting were: Senators Hall, Hamilton, Hemrich, Mantz, Plummer, and Wooding—6.

Senator Preston gave notice that at the proper time he would move to reconsider the vote by which the report was indefinitely postponed.

Senator T. J. Miller raised the point of order that “a vote to indefinitely postpone could not be reconsidered.”

The point of order was sustained by the president.

House bill No. 50, for the protection of orphan, homeless, neglected and abused children, and declaring an emergency, was read the third time by sections.

Senator Runner moved to amend by striking section 6.

The motion was lost.

Senator T. J. Miller moved to amend by striking the word “crime,” in line 4, section 2, and inserting in lieu thereof the word “felony.”

The motion was lost.

Senator Preston moved to amend by inserting after the word “surrender” the words “except as to power to consent to adoption.”

The motion prevailed.

The bill then passed by the following vote: Yeas 24, nays 5, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Hammer, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, and Yeend—24.

Those voting nay were: Senators Davis, Mantz, Reinhart, Miller T. J., and Runner—5.

Absent or not voting: Senators Baum, Hall, Hamilton, Hemrich, and Wooding—5.

The emergency clause passed by the following vote: Yeas 24, nays 5, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Hammer, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, and Yeend—24.

Those voting nay were: Senators Davis, Mantz, Miller T. J., Reinhart, and Runner—5

Absent or not voting: Senators Baum, Hall, Hamilton, Hemrich, and Wooding—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

A communication from the State Auditor, stating that the Session Laws of '93 were out of print, and that the Session Laws of '95 would be furnished upon receipt of a properly signed copy of the resolution passed at yesterday's session instructing the sergeant-at-arms to procure the same, was read by the secretary.

Senator Megler moved that the secretary be instructed to have the resolution properly signed and transmitted to the State Auditor, and also to make a requisition on the State Librarian for a copy of the Session Laws of 1893.

The motion prevailed.

On motion of Senator Keith the Senate adjourned at 4:10 P. M. until 10 A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-SECOND DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 9, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Clapp and Wooding, who were excused.

The journal of yesterday was read and approved.

The following communication was received from the State Auditor and placed on file:

STATE OF WASHINGTON, AUDITOR'S OFFICE,

I hereby certify that I have received from Dudley Eshelman, Secretary of the Senate, an expressed agreement by F. H. Goss with the State of Washington, that in no event will he ever claim the enactment of Senate bill No. 99 to be or constitute a breach or violation on the part of the State of Washington of a former contract between himself and said state for the construction of the capitol building, dated at Olympia, Washington, February 2, 1899.

Witness my hand and seal this 9th day of February, 1899.

NEAL CHEETHAM,
State Auditor.

The communication was placed on file.

MESSAGE FROM THE HOUSE.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

The House has passed House bill No. 142, entitled "An act relating to right-of-way for logging roads and railroads over school and other state lands."

Also, House bill No. 236, entitled an act to amend an act to regulate the practice of medicine and surgery in the State of Washington.

Also, House bill No. 239, entitled "An act relating to foreign corporations and imposing a penalty and repealing conflicting laws."

Also, House bill No. 179, entitled "An act relating to fees to be paid by corporations to the Secretary of State for filing articles of incorporation, etc."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORT OF STANDING COMMITTEES.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 130, entitled "An act providing for a state wagon road beginning at a point on the Columbia river opposite the town of Kettle Falls in Stevens county; thence following the road as surveyed by order of the board of county commissioners of Stevens county, the survey of which is of record in the auditor's office of said Stevens county, as near as practicable to the town of Republic in the Colville Indian reservation through Sherman pass; thence in a westerly direction across the summit of the Cascade mountains as said road has heretofore been laid out and established to a point on the Skagit river opposite the town of Marble Mount in Skagit county, making an appropriation therefor, creating a road commission and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that in section 8, line 2, the word "said" be inserted after the first "the" in said line; and that the letter "s" be added to the word "commissioner" in the same line; that in line 6 the brackets "[]" be stricken and the word "heretofore" be stricken and the word "herein" be inserted in lieu thereof. Section 9, line 4, strike brackets "[]" and that the bill as so amended do pass.

Respectfully submitted,

JOSEPH HILL, Chairman.

We concur in this report: Geo. H. Baker, E. Hammer, C. A. Mantz, J. G. Megler.

On motion of Senator Baum the report was adopted.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 140, entitled "An act to provide for the establishment and maintenance of a state road from the town of Wenatchee, in Kittitas county, thence northerly on the west bank of the Columbia river via the bridge across the Wenatchee river (the same formerly being a ferry) to the mouth of and across at the most practicable bridge site, near the mouth thereof, of the Methow river, thence northerly along the line of said river by the most practicable route to the mouth of the Twisp river, in Okanogan county, making an appropriation therefor, creating a commission and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that in section 2 line 4, the word "assistance" be stricken and the word "assistants" be inserted in lieu thereof, and that the bill as so amended do pass.

Respectfully submitted,

JOSEPH HILL, Chairman.

We concur in this report: George H. Baker, E. Hammer, C. A. Mantz, J. G. Megler.

On motion of Senator Baum, the report was adopted.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 132, entitled "An act providing for a public highway, beginning at the western terminus of what is known as the "Hart road," near Ventura, Okanogan county, thence westerly, following what is known as the "Hart trail," over and across the Cascade range of mountains, via Slate creek pass to a point on the north fork of the north fork of Slate creek, known as Vera Cruz, in Whatcom county; thence westerly, following as nearly as may be, the existing trail down the valleys of Slate creek and its tributaries, and Canyon creek and Ruby creek, to a point in Whatcom county where Ruby creek joins the Skagit river, and thence southwesterly, following as nearly as may be, the existing trail down the Skagit river valley to a connection with the present wagon road, near Marble Mount, in Skagit county; providing for a commission to lay out and construct the same, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

JOSEPH HILL, Chairman.

We concur in this report: George H. Baker, E. Hammer, C. A. Mantz, J. G. Megler.

On motion of Senator High, the report was adopted.

OLYMPIA, February 8, 1899.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred House bill No. 48, entitled "A bill for an act to create and organize the county of Ferry, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass with the following recommendations:

Amend the title of the bill by striking out the words, "a bill for."

Amend section 2 by striking out the words, "which is taken from said county," being the last two words of line 3 and the first four words of line 4 of the printed bill.

Amend section 5, line 3 of the printed bill by striking out the words "at their first regular or special meeting" and the comma following.

Amend section 8, line 2 of the printed bill by striking out the words "the first," and insert therein the words "shall constitute the fiftieth."

Amend section 10, line 6 by inserting after the word "be" the word "so" and after the word "transcribed" the words "by the auditor of Stevens county."

Amend section 11 by adding "all other actions or proceedings, civil or criminal, now pending in the superior court of Stevens county, shall be continued to the next term of the court."

Amend section 12 by striking out the words "the court" and inserting "the superior court of Stevens county."

Amend section 13 by striking out the word "Ferry" and inserting "Stevens county."

Amend section 14 by striking out the words "the court" and inserting "the superior court of Stevens county."

Amend section 12 line 1 of the printed bill by striking out the word "records." Amend line 3 of same section by adding after the word "transferred" the words "and all records therein transcribed."

Amend section 12 line 2 by striking out the word "mentioned" and inserting in lieu thereof the words "transferred as provided."

Amend section 13, line 2 of the printed bill, by striking out the word "or" after the words "Stevens county."

Amend section 12, line 1, by striking out the words "Clerk of the Superior Court," and inserting the words "County Clerk."

In line 3 of the same section, strike out the words "Clerk of the Superior Court" and insert the words "County Clerk."

In line 4 strike out the words "Clerk of the Superior Court," and insert the words "County Clerk."

Section 13, line 1, strike out the words "Clerk of the Superior Court" and insert the words "County Clerk."

In line 3 of the same section strike out the words "Clerk of the Superior Court" and insert the words "County Clerk."

In line 4 of the same section strike out the words "Clerk of the Superior Court" and insert the words "County Clerk."

Amend by striking out section 14 and insert the following as a substitute therefor: "An emergency exists, and this act shall take effect immediately."

Amend section 10, line 6 (printed bill), by striking therefrom all after the word "writing."

Line 7, strike all of the line.

Line 8, strike all of the line up to the words "said records," and insert the word "and" in lieu thereof.

Line 9, strike the words "upon the delivery of."

Line 10, strike the words "said warrant or warrants at the office of the County Auditor of Stevens county."

Amend section 13, line 4, by striking the words "in the same manner."

Line 5, strike the whole line.

Line 6, strike the whole line.

Line 7, strike the words "Auditor of Eureka county."

Add a new section 14, as follows:

"Section 14. All records so transcribed shall be certified by the officer transcribing the same under the seal of his office, in the manner following, to wit: Each book of transcribed records shall be certified to be a correct transcript of Stevens county contained therein, describing in the certificate the office in Stevens county from which the same were transcribed, and each officer so transcribing shall finally certify to the completeness of all the records so transcribed by him."

Add a new section, as follows:

"Section 15. The county of Ferry shall pay to the county of Stevens for transcribing of all records at the rate of eight cents for each one hundred words, including in the computation all certificates."

"Re-number the emergency section, so that it shall be section 16."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: S. Warburton, John I. Yeend, Herman D. Crow, F. M. Baum.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

House bill No. 49, entitled "An act to create and organize the County of Ferry," was referred to the Judiciary Committee, and we, the minority of said committee, after considering same, cannot concur in the majority report, and we respectfully report the same back to the Senate, with the recommendation that the said bill be indefinitely postponed.

Respectfully submitted.

C. A. MANTZ.

We concur in this report: Harold Preston, John H. Carper, Geo. A. Schofield.

On motion of Senator Megler, the reports were placed on general file.

Senator Baum moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate bills Nos. 130, 140 and 132.

The motion prevailed.

The Senate went into Committee of the Whole, Senator Keith in the chair.

The president resumed the chair, and the committee reported back, with the recommendation that the bills do pass, with the following amendments to Senate bills No. 130 and 140:

On motion of Senator Davis the report of the committee was adopted.

Senator Plummer moved that Senate bill No. 130 be considered engrossed and placed on its final passage.

Senator Baum moved to amend that the bill be included in the special order set for 2 P. M. this afternoon.

The amendment was carried and the motion prevailed.

On motion of Senator High, House joint memorial No. 4, relating to the rights of settlers within the granted limits of the N. P. R. R. Co. in Clarke and Cowlitz counties, was taken up for consideration.

On motion of Senator Plummer the report of the Committee on Memorials, relating to House joint memorial No. 4, was adopted.

The memorial was read the third time and passed by the following vote: Yeas 30, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, Warburton, and Wilshire — 30.

Absent or not voting: Senators Clapp, Preston, Wooding and Yeend — 4.

On motion of Senator Keith the Senate adjourned at 12:10 P. M., until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock P. M. pursuant to adjournment.

The secretary called the roll all members being present except Senators Clapp and Wooding who were excused.

A petition was read by the secretary from citizens of Stevens county with reference to the creation of the county of Eureka, signed by A. P. Long and 200 others.

The petition was referred to the Committee on Judiciary.

Senator Megler moved that the Senate do now resolve itself into a Committee of the Whole for the consideration of the following bills:

Senate bill No. 29, by Senator Megler: An act to provide for the establishment of a state road from Montesano, Chehalis county to a point on the Columbia river at Brookfield, Wahkiakum county, and making an appropriation therefor.

Senate bill No. 95, by Senator Hill. An act to provide for the establishment of a state road from Cora, or Sulphur Springs, Lewis county, by way of the Cowlitz pass to a point on the Natchez river, connecting with the wagon road at or near Cowiche, in Yakima county.

The motion prevailed.

The Senate went into Committee of the Whole, Senator David Miller in the chair.

The president resumed the chair, and the committee reported back with the recommendation that Senate bill No. 29 do pass with the following amendments:

Amend title by inserting the words "Cosmopolis and" after the word "of" in line 2.

Amend section 1 by striking the word "that" and the words "and contained," in line 1, and insert the word "shall" after the word "there," and the word "and" after the word "out," insert the words "Cosmopolis and" after the word "of" in line 3.

Amend section 2 by striking the word "that" in line 1.

Amend section 3 by striking the word "appointed," in line 1.

Amend section 4 by striking the word "that," in line 1.

Amend section 5 by striking the word "that," in line 1, and strike the word "shall" in line 4, and insert "may" instead. In line 5 strike the words "and a competent surveyor," and insert the word "other" after the word "such;" strike out all of the proviso.

Amend section 6 by striking the words "that the," in line 1, and insert the word "said" instead.

Amend section 9 by striking the word "of," in line 1, and insert the word "for" instead.

Amend section 10 by striking the word "fifty," and inserting the word "twenty" after the word "of" in line 4.

Amend section 11 by striking the word "three," and inserting instead the word "five" in line 2; strike the words "and his actual traveling expenses," in line 3, and insert instead the words "which shall be full compensation for his traveling and other expenses."

Amend section 13 by striking the word "those" in line 8, and inserting after the word "boundaries," the words "of which."

Amend section 14 by inserting the word "said" in line 4 after the word "which."

Amend section 15 by striking the word "that" in line 1.

Strike out all of section 16.

Senate bill No. 95 was reported back by the Committee of the Whole, with the following amendments:

Line 1, section 1, strike the word "that."

Same line, insert "shall" after the word "there," and the word "and" after "out."

Same line, strike the words "and maintain."

Line 1, section 5, strike "that."

Strike line 4, beginning with "*Provided*"; all of lines 5 and 6.

Line 3, section 6, strike "of" after "and" and insert in lieu thereof the word "in."

Line 5, section 7, insert "of" after the word "each," and change "county" to "counties" in same line.

Line 1, section 11, strike "three" and insert "five"; strike all of line 2 after the word "act," and all of line 3, and insert in lieu thereof the following: "Which shall be full compensation for traveling and other expenses."

Line 5, section 13, insert the word "road" after the word "said."

Line 1, section 15, strike "that."

Strike "and expenses" from the proviso of section 16.

On motion of Senator Megler, the report of the Committee was adopted, and Senate bills 25, 29, 39, 95, 130, 132 and 140 were placed on their final passage.

Senate bill No. 25, by Senator Baker, an act providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from Lyle, in Klickitat county, Washington, to Washougal, in Clarke county, Washington, creating a commission therefor, defining their duties, making an appropriation therefor, and declaring an emergency, was read the third time and passed by the following vote :

Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Schofield, Warburton, and Wilshire — 25.

Those voting nay were: Senators Reinhart, and Runner — 2.

Absent or not voting: Senators Clapp, Hall, Miller David, Preston, Van Patten, Wooding, and Yeend — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 29, by Senator Megler, an act to provide for the establishment of a state road from Montesano, Chehalis county, by way of North river valley, Willapa, South Bend, the Nemma river, Nasel river and Gray's river valleys, to a point on the Columbia river at Brookfield, Wahkiakum county, and making an appropriation therefor, was read the third time and passed by the following vote :

Yeas 25, nays 3, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Schofield, Warburton, and Wilshire — 25.

Those voting nay were: Senators Preston, Reinhart, and Runner — 3.

Absent or not voting: Senators Clapp, Hall, Miller T. J., Van Patten, Wooding, and Yeend — 6.

On motion of Senator Schofield the title of the bill was amended by inserting after the words "by way of" the words "Cosmopolis, and."

Senate bill No. 39, by Senator Keith, an act amending sections 9 and 12 of an act entitled "An act providing for the survey and establishment of a state road; creating a commission; defining its duties, and making an appropriation therefor, and declaring an emergency," approved March 18, 1897, was read the third time and passed by the following vote: Yeas 25, nays 3, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Schofield, Warburton, and Wilshire — 25.

Those voting nay were: Senators Preston, Reinhart, and Runner — 3.

Absent or not voting: Senators Clapp, Hall, Miller T. J., Van Patten, Wooding, and Yeend — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 95, by Senator Hill, an act to provide for the establishment of a state road from Cora, or Sulphur Springs, Lewis county, by way of the Cowlitz pass to a point on the Natchez river, connecting with the wagon road at or near Cowiche, in Yakima county, was read the third time and passed by the following vote: Yeas 23, nays 3, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, and Schofield — 23.

Those voting nay were: Senators Preston, Reinhart, and Warburton — 3.

Absent or not voting: Senators Clapp, Hall, Miller David, Runner, Van Patten, Wilshire, Wooding, and Yeend — 8.

There being no objections, the title of the bill was ordered to stand as the title to the act.

Senate bill No. 130, by Senator Baum, an act providing for a
17—8.

state wagon road beginning at a point on the Columbia river opposite the town of Kettle Falls in Stevens county, thence following the road surveyed by order of the board of county commissioners of Stevens county, the survey of which is of record in the auditor's office of said Stevens county, as near as practicable to the town of Republic in the Colville Indian reservation through Sherman pass; thence in a westerly direction to the Okanogan river at a point about one mile north of and opposite the mouth of Johnson creek in Okanogan county; thence in a westerly direction along the state road as heretofore laid out and established from a point about three miles south of Best's ranch on Bonapart creek to the east bank of the Methow river; thence across the Methow river at the most practicable bridge site near the mouth of the Twisp river, to be selected; thence in a westerly direction over the road already laid out and established across the Twisp pass to the bridge on Bridge creek near the mouth of said creek; thence in a southeasterly direction to Stehekin Landing at the mouth of the Stehekin river at the head of Lake Chelan; thence from the bridge near the mouth of Bridge creek in a westerly direction over and across the summit of the Cascade mountains as said road has heretofore been laid out and established to a point on the Skagit river opposite the town of Marble Mount in Skagit county, making an appropriation therefor, creating a road commission and declaring an emergency, was read the third time and passed by the following vote: Yeas 25, nays 1, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, and Wilshire — 25.

Senator Reinhart voted nay.

Those absent or not voting were: Senators Clapp, Hall, Hamilton, Miller David, Runner, Van Patten, Wooding, and Yeend — 8.

The emergency clause passed by the following vote: Yeas 28, nays 1, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy,

Megler, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Warburton, and Wilshire — 28.

Senator Reinhart voted nay.

Those absent or not voting were: Senators Clapp, Miller David, Van Patten, Wooding and Yeend — 5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 132, by Senator Hammer, an act providing for a public highway beginning at the western terminus of what is known as the "Hart road," near Ventura, Okanogon county, thence westerly, following what is known as the "Hart trail," over and across the Cascade range of mountains, via Slate creek pass to a point on the north fork of the north fork of Slate creek, known as Vera Cruz, in Whatcom county; thence westerly, following as nearly as may be, the existing trail down the valleys of Slate creek and its tributaries, and Canyon creek and Ruby creek, to a point in Whatcom county where Ruby creek joins the Skagit river, and thence southwesterly, following as nearly as may be, the existing trail down the Skagit river valley to a connection with the present wagon road, near Marble Mount, in Skagit county; providing for a commission to lay out and construct the same, and making an appropriation therefor, was read the third time and passed by the following vote: Yeas 26, nays 1, absent or not voting 7.

Those voting yea were Senators: Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, Wilshire — 26.

Senator Reinhart voted nay — 1.

Those absent or not voting were: Senators Clapp, Hall, Miller David, Runner, Van Patten, Wooding and Yeend — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 140, by Senator Baum, an act to provide for the establishment and maintenance of a state road from the town of Wenatchee, in Kittitas county, thence northerly on the west bank of the Columbia river via the bridge across the Wenatchee river (the same formerly being a ferry) to the mouth of and across at the most practicable bridge site, near the mouth

thereof, of the Methow river, thence northerly along the line of said river by the most practicable route to the mouth of the Twisp river, in Okanogan county, making an appropriation therefor, creating a commission and declaring an emergency, was read the third time and passed by the following vote: Yeas 26, nays 1, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, and Wilshire — 26.

Senator Reinhart voted nay—1.

Those absent or not voting were: Senators Clapp, Land, Miller David, Runner, Van Patten, Wooding, and Yeend — 7.

The emergency clause passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Warburton, and Wilshire — 29.

Senator Reinhart voted nay.

Those absent or not voting were: Senators Clapp, Van Patten, Wooding, and Yeend — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Runner moved the adoption of the following amendment to rule 16 of the Senate rules:

In forming the Committee of the Whole, the president shall name a chairman to preside, and all bids considered shall be read by sections, and the chairman shall call for amendmants and debates thereon, at the conclusion of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper, as the same shall be agreed to by the committee, and so reported to the Senate for action.

The secretary of the Senate shall keep a record of the proceedings of the Committee of the Whole, and the same shall be entered in the Senate journal.

On motion of Senator Megler, the consideration of the amendment was postponed until to-morrow, and the secretary instructed

to have the amendment typewritten and placed on the senators' desks.

On motion of Senator Plummer, Senate bill No. 147 was taken from the Committee on Corporations other than Municipal, and Senate bill No. 148, from the Committee on Municipal Corporations, and referred to the Committee on Judiciary, instead.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 149, by Senator Land: An act defining the powers of municipal corporation in respect of granting franchises to railways, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 150, by Senator Preston: An act to amend sections 1695 and 1696, Vol. 1, of the general Statutes and Codes of the State of Washington, as annotated and arranged by William Lair Hill, relating to liens.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, and the bill read the second time and referred to the Committee on Judiciary.

Senate bill No. 151, by Senator Plummer: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 1, 6, 7 of "An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 11, 26, 29, 33 and 34 of 'An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency,' approved March 19th, 1895, approved 13th, 1897."

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 152, by Senator Davis: An act for the protection of employes, and to prohibit the practice of "blacklisting," and providing penalties for its violation.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 153, by Senator Miller: An act to regulate charges for telephone service in this state, and providing a penalty for its violation.

The bill was read the first time; and, on motion of Senator Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

The following telegram was received from H. C. Corbin, adjutant general:

WASHINGTON, D. C., February 9, 1899.

Adjutant General, State of Washington, Olympia, Washington:

Replying to your telegram of February 8th, following is the list of First Washington Volunteer Infantry who were killed and wounded before Manila February 4th to 6th:

KILLED.

George W. McGowan, corporal, Co. A; Ralph W. Simonds, private, Co. A; George B. Reichart, private, Co. E; Frank H. Smith, private, Co. I; Mattias H. Cherry, private, Co. E; Sherman Harding, private, Co. I; Edward H. Perry, private, Co. I; Walter M. Hansom, private, Co. L; Arno H. Moeckel, private, Co. H; Ralph E. Shearer, private, Co. E.

SERIOUSLY WOUNDED.

Joseph E. Dougherty, private, Co. A; James F. Greeb, private, Co. A; John C. Klein, private, Co. A; Richard McLean, private, Co. A; Oscar Sowards, private, Co. A; Will C. Hopwood, private, Co. B; Nicholas C. Polley, private, Co. C; Walter P. Fox, private, Co. E; George M. Duncan, private, Co. G; William J. Kays, private, Co. G; Ernest H. A. Ficher, private, Co. I; John Pruitt, private, Co. L; Jesse N. Morgan, private, Co. M; J. B. Weatherby, civilian cook.

SLIGHTLY WOUNDED.

William C. Everett, private, Co. A; William R. Fait, private, Co. A; Otto H. Hoppe, private, Co. A; Elbert M. Owen, private, Co. A; Frank Rivers, private, Co. A; Laurin L. Lawson, private, Co. B; Albert T. Pray, private, Co. B; August Zehnder, private, Co. C; Herbert L. Osborn, private, Co. E; Myra Cusker, private, Co. I; Rolla Proudfoot, private, Co. I; Joseph P. Bernier, private, Co. M; John B. Carlsile, private, Co. M; Charles E. Augustin, corporal, Co. M; Albert H. Ottis, captain, Co. A; Edwin K. Erwin, first lieutenant, Co. A; Joe Smith, second lieutenant, Rufus B. Clark, quartermaster sergeant, Co. C; Oliver Clancy, quartermaster sergeant, Co. G; Kendall Fellows, corporal, Co. A; Charles F. DeLano, corporal, Co. A; John F. Mitchell, corporal, Co. A; Fred W. Schander, corporal, Co. A; James A. Timewell, corporal, Co. A; Neil McDougel, corporal, Co. I; Daniel Campbell, private, Co. M.

MISSING.

Oral F. Gibson, private, Co. E.

H. C. CORBIN, Adjutant General.

On motion of Senator Plummer the names of the killed, wounded and missing were ordered inserted in resolution of condolence read yesterday.

The president called Senator Runner to the chair.

Senate bill No. 28, by Senator Hammer, to regulate the practice of barbering, was read the third time by sections.

On motion of Senator Davis section 1 was amended by striking the word "contained," in line 3.

On motion of Senator Hemrich section 4 was amended by striking the word "ten," in line 2, and inserting the word "five" instead.

On motion of Senator Baum section 5 was amended by striking the word "Legislature," in line 1, and inserting the word "Governor" instead, and striking the words beginning with the word "at," in line 1, and ending with the word "meetings," in line 2, and inserting in lieu thereof the word "annually."

On motion of Senator Hemrich section 5 was amended by striking the words "to it," in line 3.

On motion of Senator Warburton section 6 was amended by striking the words "in and," in line 1, and the words "at least four different cities in this state."

On motion of Senator Preston, section 7 was amended by striking the words "the approval of this act" and insert the words "this act shall take effect" instead.

On motion of Senator Davis, section 12 was amended by striking the word "crime" in line 2, and inserting the words "a felony" instead.

Senator Hamilton moved to amend by striking "habitual" in line 2, section 12, and insert "protracted" instead.

The motion was lost.

On motion of Senator Preston, section 14 was amended by striking the words, beginning with the word "or" in line 2, and ending with the word "certificate" in line 3, and by striking the words "violation of" in line 4, and inserting the word "violating" instead.

On motion of Senator Keith, the bill was referred to the Engrossing Committee.

The president resumed the chair.

On motion of Senator McReavy, the Senate adjourned at 4:30 o'clock P. M. until to-morrow at 10 o'clock A. M.

THIRTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February, 10, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Wooding, who was excused. .

The journal of yesterday was read and approved.

A communication from the Labor Congress, presented by Senator Davis, relating to the passage of sundry bills, was on motion of Senator Davis, referred to the Committee on Labor and Labor Statistics.

Senator Preston moved to reconsider the vote by which the majority report of the Judiciary Committee on the Gray vs. Mantz Senatorial contest, was indefinitely postponed.

The president ruled the motion out of order.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 70, entitled "An act to amend an act entitled 'An act in relation to recognizances, stipulations, bonds and undertakings,' approved March 17, 1897, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows:

Strike out the title, and in lieu thereof insert the following: "An act to amend section 2 of an act entitled 'An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense and costs of the principal or principals on the same, and repealing an act of the Legislature of the State of Washington entitled 'An act relating to official bonds of state, county, city, town and precinct officers,' approved March 20th, 1895, and all other inconsistent acts, and declaring an emergency, approved March 17th, 1897, and declaring an emergency."

Strike out all after word "entitled," in line 1, and before word "be,"

line 2, of the printed bill, and in lieu thereof insert the amended title above, except last four words.

Strike out the word "the," before general, line 9, Sec. 1 of the printed bill; substitute word "its."

Strike out all of line 9, Sec. 1 of printed bill, after words "general funds of."

Strike out word "official," after any, line 10, Sec. I, printed bill, and substitute word "such."

Strike out all of lines 11 and 12, of printed bill, after the word "district," line 11, and before word "not," line 12.

Strike out Sec. 3.

Strike out Sec. 2, and in lieu thereof insert the following: Sec. 2. An emergency is hereby declared to exist, and this act shall take effect immediately.

Respectfully submitted,

THOS. J. MILLER, Chairman.

We concur in this report: W. H. Plummer, W. W. Wilshire, David Miller, Geo. W. Schofield, Herman D. Crow.

On motion of Senator T. J. Miller the report was adopted.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 80, entitled "An act providing a method for the payment and settlement of delinquent special street grade assessments in cities of the first class in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be amended to read as follows, and that the bill as amended do pass:

AN ACT

Providing a method for the payment and settlement of delinquent special improvement assessments in cities and towns of the State of Washington, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. In all cases where abutting or contiguous property has by virtue of any law or city ordinance of any city or town of the State of Washington been assessed prior to the year 1898, for special benefits received from the grading or improvement of any street or streets in the neighborhood of such property, it may be lawful for the owner of such property to discharge the lien or liens thus created, by payment to the city treasurer, or other officer authorized to collect said tax, of a sum equal to one-fourth of the value of said real estate, exclusive of all improvements, which value shall be the value as fixed by the assessment for state, and for county taxes for the year 1897. A certificate of the treasurer of the county in which said property is located, certifying the assessed value of such property, shall authorize the city treasurer to act as herein directed, and so much of said tax as shall exceed in amount one-fourth of the value of said property as above ascertained is hereby canceled, and in cases where the same property is assessed for the grading or improvement of more than one street, the sum of the several assessments shall be taken as the amount due from said property, and a payment of one-fourth the value of aforesaid shall in all cases discharge said property from, and all of said liens.

SEC. 2. In all cases where the delinquent assessments mentioned in this act shall be less than twenty-five per cent. of the assessed valuation as hereinbefore mentioned, the city council shall have authority and is hereby empowered in its discretion to make just,

fair and equitable settlement of said delinquent assessments, and receive payment of the amount of said assessment in full discharge of such lien.

SEC. 3. An emergency exists and this act shall take effect immediately.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. H. Plummer, W. W. Wilshire, David Miller, Geo. D. Schofield, Herman D. Crow.

On motion of Senator Plummer, the report was adopted, and the substitute placed on general file.

OLYMPIA, February 8, 1899.

MR. PRESIDENT :

We, your Committee on Roads and Bridges to whom was referred Senate bill No. 4, entitled "An act to amend section 1 of an act entitled 'an act providing for a state wagon road, beginning at a point on the Columbia river opposite the town of Marcus, Stevens county, thence following the state road as near as practicable, as at present laid out, to a point on the east bank of the Methow river, opposite the mouth of the Twisp river; thence over and across the summit of the Cascade mountains on the line as already laid out and established to a point on the west bank of the Skagit river, and connecting with the present county road at or near Marble Mount in Skagit county, and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, and being Section 1 of Chapter 101 of the Session Laws of 1897, providing for the alteration and extension of the route of the state wagon road established by said act and the improvement of said road, making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed as subject matter is contained in Senate bill No. 130.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: Geo. H. Baker, E. Hammer, C. A. Mantz, J. G. Megler.

On motion of Senator Hill the report was adopted.

OLYMPIA, February 8, 1899.

MR. PRESIDENT :

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill 81, entitled "An act to amend sections 3 and 4 of an act entitled 'An act relating to county boundaries,' approved March 16, 1897, the same being sections 3 and 4 of Chapter LXXVI of the Session Laws of 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

GEO. H. BAKER, Chairman.

We concur in this report: Dan. Paul, C. A. Mantz, F. M. Baum, E. Hammer.

On motion of Senator Baker the report was adopted.

OLYMPIA, February 3, 1899.

MR. PRESIDENT :

We, your Committee on Agriculture, to whom was referred Senate bill No. 49, entitled "An act to amend section 3418, of article 2, relating to care of swine unlawfully at large Ballinger's Annotated Codes and Statutes of Washington (1st vol. Hill's Code section 2490.)" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the title be amended to read as follows:

"An act to amend Section 2490, Volume No. 1, Hill's Annotated Statutes and Codes of Washington relating to swine unlawfully at large."

That the bill be amended by inserting after the words "Section 1" in line 1, the following: "Section 2490 of volume 1, Hill's Annotated Statutes and Codes of Washington is hereby amended to read as follows: Section 2490."

In line 3 printed bill, strike out the word "claimed" and insert in lieu thereof "he claims," and as so amended the bill do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: Geo. H. Baker, Augustus High, J. C. Van Patten.

On motion of Senator Van Patten the report was adopted and the bill placed on general file.

OLYMPIA, February 3, 1899.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 47, entitled "An act to amend an act relating to damages by domestic animals, infectious diseases, etc., Art. 7, sec. 3466, Ballinger's Annotated Codes and Statutes of Washington, Laws of 1893, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

That the title be amended to read "An act to amend an act for the detention of domestic animals doing damages and giving a lien for damages upon such animals. (Chapter 31, Session Laws of 1893)."

That lines 1 and 2, section 1, printed bill, and the words "as follows" in line 3, be stricken out and the following substituted therefor:

That section 1, chapter 31, Session Laws of 1893, entitled 'An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals,' be, and it is hereby amended to read as follows." And that as so amended the bill do pass.

Respectfully submitted:

OLIVER HALL, Chairman.

We concur in this report: Geo. H. Baker, J. C. Van Patten, Augustus High.

On motion of Senator Hall the report was adopted.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 57, entitled "An act to amend section 97 of an act known and cited

as 'Code of Public Instruction of the State of Washington, approved March 19, 1897,' and permitting and authorizing the board of directors of school districts to expend for permanent improvements each year 25 per cent. of the yearly income of the district," and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that section 1 be amended by striking the word "calendar" in line 14 of the printed bill, and inserting the word "school" in lieu thereof.

That section 2 be amended to read: "An emergency exists and this act shall take effect immediately."

And that section 3 be stricken, and that as so amended the bill do pass.

We would also recommend that final action be postponed till an omnibus bill, now in preparation, which may provide for the same measures as the bill now reported, be presented for your consideration.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report: S. M. LeCrone, Harold Preston, Paul Land.

On motion of Senator Van Patten, the report was adopted.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 44, entitled "An act in regard to the dismissing of appeals by the Supreme court. Providing for the amendment of appellate proceedings and requiring all cases appealed to be decided upon their merits," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass with the following amendment:

"An act to amend section 19 of an act entitled "An act relating to appeals to the Supreme court, approved March 8, 1893.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 19 of an act entitled "An act relating to appeals to the Supreme court, approved March 8, 1893, is hereby amended to read as follows: Sec. 19. If the Supreme court, on the hearing of any such motion or motions shall find the grounds or any thereof alleged for the same be well taken and true in fact the court may grant the same in whole or in part; but when any such motion does not go to the substance of the appeal, or to the right of appeal, and the court shall be of the opinion that the moving party can be compensated in costs, or by the imposition of other terms for any delay of the appellant which is made the ground of any such motion (except a failure to take the appeal within the time limited by law), the court, in its discretion may deny the motion on such terms as may be just. The court shall upon like terms allow all amendments in matters of form, curative of defects in appellate proceedings to the end that substantial justice be secured to the parties; and no appeal shall be dismissed for any informality or defect in the notice of appeal, the appeal bond, or the service of either thereof, or for any defect of parties to the appeal, if the appellant shall forthwith upon order of the supreme court perfect the appeal."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, C. A. Mantz, John H. Carper, F. M. Baum.

On motion of Senator Andrews the report was adopted.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 110, entitled "An act relating to legal holidays," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, C. A. Mantz, Harold Preston, F. M. Baum, John H. Carper.

Senator Plummer moved the adoption of the report.

Senator Land moved a substitute, "that the bill be placed on general file."

The substitute was lost.

The question recurring on the original motion, it was declared carried.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 15, entitled "An act to amend section 1 of the Penal Code of the State of Washington, as compiled by W. Lair Hill, defining the crime of murder in the first degree, and fixing the punishment therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation, that the same do pass, with the following amendments:

Amend title by striking out the words, "and declaring an emergency."

Add a comma after the words "kill another," in line 5.

In line 6, strike out the words "the punishment of."

In line 7, after the word "penitentiary," add the words "at hard labor." In line 7, strike out the words "or for a term not less than fourteen years." In line 7, strike out the word "if" and all of line 8, up to the word "upon," and insert in lieu thereof, the words "such punishment shall be fixed by the verdict of the jury, except that."

Amend by striking out section 2.

Respectfully submitted,

W. H. PLUMMER, Chairman.

We concur in this report: John H. Carper, Herman D. Crow, C. A. Mantz, Harold Preston, F. M. Baum.

On motion of Senator Plummer, the report was adopted.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 170, entitled "An act authorizing boards of county commissioners of the several counties of the State of Washington to audit and order warrants drawn in favor of all persons who were employed in the survey, laying out or construction of public roads, or roads which are now used

by the public in any county of the State of Washington, such survey, laying out or construction, having been done by order of the superior court or the board of county commissioners in such county under chapter 98, page 237, Session Laws of 1893, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend by striking out the title, and substitute the following as a title of the act: "An act relating to the powers of county commissioners, and declaring an emergency."

Amend section 1, line 2 by striking out the words "and it shall be their duty," and insert after the word "audit" in the same line the following: "And allow without interest."

Amend line 3 by striking out the words "any public roads, or."

Amend line 5 by inserting after the word "made" the words "or done."

Amend line 4 by striking out the words "by such county, or at all," and insert a comma after the word "allowed."

Amend line 5 by striking out the words "of any road or roads."

Substitute the following as section 2: "An emergency exists, and this act shall take effect immediately."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: John H. Carper, Herman D. Crow, C. A. Mantz, Harold Preston, F. M. Baum.

On motion of Senator Plummer, the report was adopted.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 14, entitled "An act relating to exemption of personal property," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

JOHN H. CARPER.

We concur in this report: Herman D. Crow, C. A. Mantz, Harold Preston, F. M. Baum.

On motion of Senator Carper the report was adopted and the bill placed on general file.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 150, entitled "An act relating to the serving and filing of papers in proceedings in the courts of the state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass with the following amendments:

Strike out the last nine words in section 1, commencing with "and"

after the word "service," and substitute a period for the comma in line 3 after the word "service."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, John H. Carper, Herman D. Crow, C. A. Mantz, Harold Preston.

On motion of Senator Plummer the report was adopted, and the bill placed on general file:

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 103, entitled "An act governing the instruction of jurors by the judges of the superior courts of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted,

W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, C. A. Mantz.

On motion of Senator High the bill was placed on general file.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 93, entitled "An act changing the name of Hangman creek, in Spokane county, to Latah creek, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: John A. Carper, Herman D. Crow, C. A. Mantz, Harold Preston, F. M. Baum.

On motion of Senator Plummer the report was adopted.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

We, a majority of your Committee on Railroads and Transportation, to whom was referred Senate bill No. 120, entitled "An act regarding the liability of railroad corporations for injuries sustained by employes thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. F. CLAPP.

We concur in this report: Dan Paul, David Miller, Geo. D. Schofield, Ed S. Hamilton, Thos. J. Miller.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

We, a minority of your Committee on Railroads and Transportation, to whom was referred Senate bill No. 120, entitled "An act regarding the liability of railroad corporations for injuries sustained by employes thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. E. RUNNER, Chairman.

Senator T. J. Miller moved the adoption of the majority report.

Senator Keith moved to substitute the minority for majority report.

Senator Plummer moved to amend that the reports and the bill be placed on general file.

The amendment was carried.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 73, entitled "An act declaring bicycles to be baggage, and providing for the carrying of the same by railroad corporations," have had the same under consideration, and we respectfully report it back to the Senate, with the recommendation that it do pass with the following amendments:

After the title insert the paragraph, "Be it enacted by the Legislature of the State of Washington." In line 1, section 1, of the printed bill, after the words "Section 1" strike out the word "that."

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: C. F. Clapp, Dan Paul, David Miller, Ed. S. Hamilton, Thos. J. Miller, Geo. D. Schofield.

On motion of Senator Runner the report was adopted.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 8, entitled "An act to regulate the transportation of bicycles, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, because of prior favorable action on House bill 73 covering the same subject.

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: C. F. Clapp, Dan Paul, David Miller, Ed. S. Hamilton, Thos. J. Miller, Geo. D. Schofield.

On motion of Senator Runner the report was adopted.

OLYMPIA, WASH., February 10, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred Senate bill No. 16, entitled "An act providing a penalty for any citizen of the State of Washington who accepts or uses a pass, or who purchases transportation from any railroad or other corporation other than as the same may be purchased by the general public and providing a penalty for railroad or other corporations who issue transportation or a pass to any citizen of the State of Washington, other than as the same is sold or issued to the general public," have had the same

under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. F. CLAPP.

We concur in this report: Dan. Paul, Geo. Schofield, E. S. Hamilton.

I concur in majority report because, in my opinion, the constitution contemplates none but state officers in section 39, Article 71.

THOS. J. MILLER.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

I, your minority Committee on Railroads and Transportation to whom was referred Senate bill No. 16, entitled "An act providing a penalty for any citizen of the State of Washington who accepts or uses a pass, or who purchases transportation from any railroad or other corporation other than as the same may be purchased by the general public, and providing a penalty for railroad or other corporations who issue transportation or a pass to any citizen of the State of Washington, other than as the same is sold or issued to the general public," have had the same under consideration, and I respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. E. RUNNER, Chairman.

On motion of Senator Clapp the majority report was adopted.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 10, 1899.

MR. PRESIDENT:

The House has passed House bill No. 319, entitled "An act for expediting the completion of the State Capitol Building, and for the reduction of the cost thereof by changing the original plans, providing for payment of interest, and making an appropriation therefor."

Also House bill No. 320, entitled "An act appropriating certain sums of money for construction of state building."

And the same are herewith transmitted.

In accordance with a request of this date, the House herewith returns House bill No. 45, entitled "An act amending section 1 of an act entitled 'An act relating to and authorizing the collection of assessments etc.'"

The speaker of the House has signed House bill No. 120, entitled "An act for rendering available the endowment of the Agricultural College Experiment Station and School of Science of the State of Washington, and declaring an emergency."

The House has passed House bill No. 119, entitled "An act appropriating money for clerical assistance, expressage, postage and incidentals in the office of the Superintendent of Public Instruction."

Also, House bill No. 187, entitled "An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington."

Also, House bill No. 188, entitled "An act in relation to the protection

of frogs, switches and guard-rails and making railroad companies liable for damages from failure to comply therewith.

Also, House bill No. 241, entitled "An act to repeal an act entitled 'An act providing for a uniform system of public blanks for use in counties of the State of Washington, etc.'"

Also, House bill No. 264, entitled "An act providing for the preservation and distribution of the reports of the public officers of the state."

Also, House bill No. 296, entitled "An act to amend sections 2, 3, 12, 13 and 15 of an act, entitled 'An act for the protection of game animals and birds, etc.'"

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The following resolution was offered by Senator Crow:

Resolved, That W. C. Gray, the contestant in the election contest of Gray vs. Mantz, be allowed the same mileage and per diem that is allowed to members of this body, including this date, and that the Committee on Salaries and Mileage be instructed to report the amount due said contestant under this resolution, and that the president and secretary of the Senate issue to said W. C. Gray a certificate of such amount due him.

On motion of Senator Crow the resolution was adopted.

On motion of Senator Preston the vote by which House bill No. 45 passed the Senate was reconsidered by the following vote: Yeas 32, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, and Yeend — 32.

Absent or not voting: Senators Wilshire, and Wooding — 2.

On motion of Senator Preston the bill was recommitted to the Committee on Judiciary.

On motion of Senator Plummer House bill No 49 was made a special order for 2 P. M. Monday.

A communication from the city council of Vancouver, Wash., presented by Senator High, relating to the shore lands of the north bank of the Columbia river, was, on motion of Senator High, referred to the Committee on State, Granted, School and Tide Lands.

Senator Runner moved that when the Senate adjourns it be until 10 A. M. tomorrow.

The motion prevailed.

REPORT OF SPECIAL COMMITTEE.

Your Committee to which was referred the communication of Frank Pierce to the sergeant-at-arms requesting to be furnished with one copy of Ballinger's Codes, one set of Supreme Court Reports and stating that volumes one to four and ten to eighteen could be obtained from the Secretary of State and the State Librarian, have duly investigated and considered the subject of said communication and beg leave to report as follows:

That, as stated in said communication, there are belonging to the state extra volumes of the State Reports from volume one to four and ten to eighteen inclusive which are in the custody of the Secretary of State and State Librarian and which can be made available for the temporary use of Frank Pierce, as clerk of this body, and that volumes five to nine will be loaned by Mr. Folger, as agent of Bancroft, Whitney & Company, to this committee for the temporary use of said clerk.

That there are in the State Library only two sets of Ballinger's Codes and that the same are not sufficient for the ordinary needs of said library.

That your committee recommends that the resolution accompanying this report providing for a loan of the State Reports from one to eighteen inclusive to this committee for the temporary use of said clerk, and requesting that the State Librarian procure and add to the State Library an additional set of Ballinger's Codes and that the same be marked with the stamp and seal of said library and that said clerk have the temporary use of the same, be adopted.

W. W. WILSHIRE, Chairman.

We concur in the above report: Horold Preston, J. A. Cole.

On motion of Senator Wilshire the report was adopted.

RESOLUTION.

Be it resolved by the Senate, That the sergeant-at-arms of the Senate be and he is hereby authorized and directed, for and on behalf of the Senate, to request Mr. Folger, as agent of Bancroft-Whitney Company, to loan to the Committee on Public Library for the temporary use of Frank Pierce, as clerk of the Senate, volumes numbering from five to nine, inclusive, of the State Reports, and that the Secretary of State and State Librarian be requested to loan to said committee for said use volumes from one to four and from ten to eighteen of the State Reports; and that the State Librarian be requested to obtain and add to the State Library one additional set of Ballinger's Codes and mark the same with the stamp and seal of the State Library, and permit said Frank Pierce to have the temporary exclusive use thereof in the discharge of his duties as clerk of the Senate; and that when said books are no longer needed for the purpose above stated, the same shall be returned to the persons from whom they were obtained.

On motion of Senator Wilshire, the resolution was adopted.

The president signed House bill No. 120, for rendering available the endowment of the Agricultural College, Experiment Station and School of Science of the State of Washington, and declaring an emergency.

Senator Runner gave notice that to-morrow he would move to amend Senate rule No. 12, to read as follows:

"RULE 12. The rules of the Senate shall apply to proceedings in committee of the whole, except that the previous question shall not be ordered; but the committee may limit the number of times that any member may speak at any stage of the proceedings during its sitting."

INTRODUCTION AND READING OF BILLS.

House bill No. 319, by the Committees on State Public Buildings and Grounds, Library, and Appropriations: An act for expediting the completion of the State Capitol building, and for the reduction of the cost thereof by changing the original plans, providing for the payment of interest, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to Committee on Public Buildings and Grounds.

House bill No. 119, by Mr. White: Appropriation for the office of Superintendent of Public Instruction; an act appropriating money for clerical assistance, expressage, postage and incidentals in the office of the Superintendent of Public Instruction.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to Committee on Appropriations.

House bill No. 188, by Mr. Barlow: An act providing for the prevention of persons from being caught in railroad frogs, switches or guard rails, and making railroad companies liable for damages from failure to comply therewith.

The bill was read the first time, and on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title, and referred to Committee on Railroads and Transportation.

House bill No. 187, by Mr. Stewart: An act granting a bounty for the encouragement of the manufacture of sugar in the State of Washington.

The bill was read the first time; and, on motion of Senator

Hammer, the rules were suspended, the bill read the second time by title, and referred to Committee on Agriculture.

House bill No. 179, by Mr. Lambert: An act relating to fees to be paid by corporations to the Secretary of State for filing articles of incorporation and other services relating to corporations, and repealing an act entitled "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, and declaring an emergency," approved March 13th, 1897, and remitting all unpaid penalties and fees which have accrued under the provisions of said act approved March 13th, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 296, by Committee on Game and Game Fish (substitute for House bills Nos. 133 and 253): An act to amend sections 2, 3, 12, 13 and 15 of an act entitled "An act for the protection of the game animals and birds and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, etc."

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to Committee on Agriculture.

House bill No. 142, by Mr. Parker: An act to amend section 34 of an act entitled "An act to provide for the selecting, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be general, etc."

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

House bill No. 239, by Mr. Heilig: An act relating to foreign corporations, and imposing a penalty for failure to file articles of incorporation and appointing a resident agent, and repealing conflicting laws.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House bill No. 320, by Committee on Appropriations: An act providing for the construction, repair, improvement and equipment of buildings for the University of Washington, the Agricultural College and School of Science and the State Penitentiary, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to Committees on Appropriations and Lands.

House bill No. 226, by Mr. Witter: An act to amend an act entitled "An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons, to punish all persons violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency," approved April 10, 1890.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to Committee on Dentistry, Surgery and Hygiene.

House bill No. 241, by Mr. Callvert: An act to repeal an act entitled "An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state," approved March 6th, 1897, found on pages 47 and 48 of the Laws of 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Printing.

Senate bill No. 154, by Senator High: An act eliminating certain tide or shore lands from the operation of the tide and shore land laws of the State of Washington, and declaring that certain lands from the mouth of the Lewis river along the north side of the Columbia river to the Cascade locks, which land has heretofore been declared to be tide or shore lands, to be neither

tide or shore lands, and declaring the lands along said north bank of said river to be neither tide or shore lands, but declaring said lands to belong to the abutting owner along said river.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to Committee on State, Granted, School and Tide Lands.

Senate bill No. 155, by Senator Hill: An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington.

The bill was read the first time; and, on motion of Senator Hill, the rules were suspended, the bill read second time by title, and referred to Committee on Agriculture.

Senate bill No. 156, by Senator Plummer: An act appropriating the sum of \$285.00 for incidental expenses for the State Board of Health.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title and referred to Committee on Appropriations.

Senate bill No. 157, by Senator Plummer: An act to amend section 4755 of Ballenger's Annotated Code of the State of Washington, and relating to the appointment of prosecuting attorneys.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, bill read the second time by title and referred to Committee on Judiciary.

Senate bill No. 158, by Senator Paul: An act fixing the maximum steamboat freight rates in the State of Washington.

The bill was read the first time; and, on motion of Senator Paul, the rules were suspended, the bill read the second time by title, and referred to Committee on Railroads and Transportation.

Senate bill No. 169, by Senator Andrews: An act providing that a married woman may maintain an action for injury to her person or character, and the damages recovered shall be her separate property.

The bill was read the first time; and, on motion of Senator Andrews, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

Senators Andrews and Hemrich were excused until Monday.

On motion of Senator Plummer, the Senate adjourned at 12 o'clock noon until 10 A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, February 11, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll all members being present except Senators Andrews, Hemrich, Paul, Plummer and Wooding who were excused.

The journal of yesterday was read and approved.

Senate memorial No. 5, by Senator Wilshire, relating to ceding an American port in the territory of Alaska to the Canadian government, was read the first time and on motion of Senator Wilshire the rules were suspended, the memorial read the second and third time by title.

The memorial then passed by the following vote: Yeas 24, absent or not voting 10.

Those voting yea were: Senators Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Preston, Reinhart, Runner, Schofield, Wilshire and Yeend — 24.

Those absent or not voting were: Senators Andrews, Biggs, Hammer, Hemrich, Hill, Paul, Plummer, Van Patten, Warburton, and Wooding.—10.

On motion of Senator Wilshire the rules were suspended and the memorial immediately transmitted to the House.

Senate joint resolution No. 11, by Senator Wilshire, relating to the transmission of Senate memorial No. 5, to President McKinley, was adopted and on motion of Senator Wilshire the rules were suspended and the resolution immediately transmitted to the House.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 28, entitled "An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to insure the better education of such practitioners in the State of Washington," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, Harold Preston.

OLYMPIA, February 11, 1899.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, to which was referred the matter of salary and mileage of W. C. Gray, contestant under the resolution of Senator Crow, which resolution was adopted by the Senate February 10, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that in accordance with such resolution W. C. Gray be allowed thirty-three days' salary, \$165; and \$97.60, mileage; total \$262.60.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report: Oliver Hall, E. Hammer.

On motion of Senator Crow the report was adopted.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to which was referred Senate bill No. 136, entitled "An act providing that before any corporation can reorganize under the laws of this state, all claims and judgments for wages or damages shall be first paid off and satisfied," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that in the title the words "providing that before any corporation can reorganize under the laws of this state, all claims and judgments for wages or damages shall be first paid off and satisfied," be stricken and in lieu thereof the words "relating to the reorganization of corporations" be inserted.

In section 1, line 2, strike out the words "and hold the property of the corporation."

In section 1, line 3, strike out the words "in full."

In section 1, line 5, strike out the word "whatever."

Strike out section 2.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: Thos. J. Miller, S. Warburton, J. A. Davis, E. Hammer.

On motion of Senator Land, the report was adopted.

OLYMPIA, February 10, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to which was referred Senate bill No. 73, entitled "An act to establish a state board of

inspection for steam boilers, and for the examination and licensing of engineers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that in section 1, line 4, the words "seventy-five" be stricken out and the words "two hundred" inserted in lieu thereof, and that as so amended it be placed on general file.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: S. Warburton, J. A. Davis, Thos. J. Miller, E. Hammer.

On motion of Senator Land, the report was adopted.

The secretary read the following communication from the Governor :

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, February 10, 1899.

To the Honorable the Senate of the State of Washington, Senate Chamber, Olympia, Washington :

GENTLEMEN—I have the honor to submit herewith an appointment made during this session of the Legislature, not heretofore reported to you for confirmation :

State board of Health and Bureau of Vital Statistics—T. J. Newland, M. D., Ellensburg, Washington, appointed for the unexpired term ending December 30, A. D., 1899, vice E. E. Heg, of North Yakima, Washington, resigned and removed from the state.

Very Respectfully,

J. R. ROGERS, Governor.

Senator Megler moved that the confirmation be made in open session. The motion prevailed, and the appointment was confirmed by the following vote: Yeas 21, absent or not voting 9.

Those voting yea were: Senators Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Preston, Reinhart, Schofield, Warburton, Wilshire and Yeend—25.

Those absent or not voting were: Senators Andrews, Biggs, Hemrich, Hill, Paul, Plummer, Runner, Van Patten and Wooding—9.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 160, by Joint Fisheries Committee: An act to protect sturgeon and to regulate the time and manner of fishing for sturgeon in the waters of the Columbia river, and declaring an emergency.

The bill was read the first time; and, on motion of Senator _____, the rules were suspended, the bill read the second time by title and referred to the Committee on Fisheries.

Senate bill No. 161, by Senator Hamilton: An act to regulate the width of wagon and other wheel tires used on the highways of the State of Washington.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title and referred to the Committee on Roads and Bridges.

Senate bill No. 162, by Senator Davis: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 4, 19 and 31 of an act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency, approved March 19th, 1895.

The bill was read the first time; and on motion of Senator Davis, the rules were suspended, the bill read the second time by title and referred to the Committee on Corporations other than Municipal.

House bill No. 264, by Mr. Heilig: An act providing for the preservation and distribution of the reports of the public officers of the state.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title and referred to the Committee on Printing.

On motion of Senator Megler, Senate bill No. 104, entitled "An act to amend an act entitled 'An act relating to maintenance, repairs and renewals of sidewalks in cities of the first, second or third class, and providing for payment therefor by the owners of abutting property, and declaring an emergency,' approved March 21, 1895," was placed on its final passage and passed by the following vote: yeas 21, absent or not voting 13, total 34.

Those voting yea were Senators Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Keith, LeCrone, Mantz, McReavy, Megler, Miller T. J., Preston, Reinhart, Schofield, Warburton, and Yeend—21.

Those absent or not voting were: Senators Andrews, Biggs, Hemrich, High, Hill, Land, Miller David, Paul, Plummer, Runner, Van Patten, Wilshire and Wooding—13.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston Senate bill No. 27, entitled

“An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, repealing an act entitled ‘An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefitted by local improvements, and declaring an emergency,’ approved March 9, 1893, and declaring an emergency,” was recommitted to the Judiciary Committee with instructions to report on same not later than Tuesday.

Senate bill No. 67, entitled “An act amending section 69 of an act entitled ‘An act to provide for the selection, survey, management reclamation, lease and disposition of the state’s granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties and making an appropriation therefor, and declaring an emergency,’ approved March 16, 1897, being chapter 89, Session Laws of 1897,” was read the third time by sections. On motion of Senator Davis the bill was placed on final passage and passed by the following vote: Yeas 22, nays 2, absent or not voting 10.

Those voting yea were: Senators Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hammer, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Preston, Reinhart, Runner, Van Patten, Wilshire, and Yeend — 22.

Those voting nay were: Senators Baker and Schofield — 2.

Those absent or not voting were: Senators Andrews, Biggs, Hamilton, Hemrich, Hill, Miller David, Paul, Plummer, Warburton, and Wooding—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hammer, Senate bill No. 28, entitled “An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to insure the better education of such practitioners in the State of Washington,” was placed on its final passage and passed by the following vote:

Yeas 18, nays 6, absent or not voting 10.

Those voting yea were: Senators Baker, Baum, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Keith, Land, LeCrone, Mc-

Reavy, Miller T. J., Runner, Schofield, Van Patten, Wilshire, and Yeend — 18.

Those voting nay were: Senators Hall, Mantz, Megler, Preston, Reinhart, and Warburton — 6.

Absent or not voting were: Senators Andrews, Biggs, Carper, Hemrich, High, Hill, Miller David, Paul, Plummer, and Wooding — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate memorial No. 4, memorializing Congress to aid American shipping and American producers of export agricultural products, was read the third time.

On motion of Senator High, the memorial was placed on its final passage, and passed by the following vote:

Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, High, Keith, Land, LeCrone, Mantz, McReavy, Miller T. J., Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 23.

Absent or not voting were: Senators Andrews, Biggs, Hammer, Hemrich, Hill, Megler, Miller David, Paul, Plummer, Preston, and Wooding — 11.

Senate bill No. 72, entitled "An act making appropriation for the maintenance of grain inspection, and declaring an emergency," was read the third time by sections.

On motion of Senator Hall, the bill was placed on final passage and passed by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Reinhart, Runner, Van Patten, Warburton, Wilshire and Yeend — 23.

Absent or not voting were: Senators Andrews, Baker, Biggs, Hemrich, Hill, LeCrone, Miller David, Paul, Plummer, Schofield and Wooding — 11.

The emergency clause passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Preston,

Reinhart, Runner, Van Patten, Warburton, Wilshire and Yeend — 24.

Absent or not voting were: Senators Andrews, Biggs, Hammer, Hemrich, Hill, Miller David, Paul, Plummer, Schofield and Wooding — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller, Senate bill No. 50, entitled "An act to amend section 30 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, defining their duties and making an appropriation therefor, and declaring an emergency,' being chapter 89, Session Laws of 1897." The rules were suspended, the bill considered engrossed, and placed on final passage.

The bill failed to pass by the following vote: Yeas 9, nays 16, absent or not voting 9.

Those voting yea were: Senators Carper, Cole, Davis, High, Hill, Keith, Land, McReavy and Yeend — 9.

Those voting nay were: Senators Baker, Baum, Biggs, Clapp, Hall, Hamilton, Hammer, LeCrone, Mantz, Miller T. J., Preston, Reinhart, Schofield, Van Patten, Warburton and Wilshire — 16.

Absent or not voting were: Senators Andrews, Crow, Hemrich, Megler, Miller David, Paul, Plummer, Runner and Wooding — 9.

Senator T. J. Miller gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 50 failed to pass.

On motion of Senator Megler the rules were suspended and all bills passed to-day were ordered immediately transmitted to the House.

On motion of Senator Mantz, Senate bill No. 7 entitled "An act for protection against the spread of Canadian and Russian thistles, and for the destruction of the same, and for the payment

of costs for destroying the same," was read the third time by sections.

Senator Megler moved to amend section 1, line 2, by striking "or" after "Canada" and inserting the words "bull and other noxious" after the word "Russian." The motion was lost.

Senator Preston moved to amend section 4 line 3, by inserting after the word "offer," the words "or send by mail." The motion was carried.

On motion of Senator Mantz, section 4, line 5 was amended by striking the word "refuse" after the word "shall" and inserting the word "fail" in lieu thereof.

On motion of Senator Preston, section 5, line 3, was amended by inserting the words "for the current year" after the words "tax rolls," Also in the same line by inserting after the word "collected," the words "together with penalty and interest." Also in section 5, line 4, by inserting after the word "district" the word "fund."

On motion of Senator Preston, section 6, line 1, was amended by striking the word "said" before the word "cities."

On motion of Senator Megler the bill was referred to the Engrossing Committee.

There being no objection the motion of Senator Runner to amend the rules was postponed until Monday.

On motion of Senator Baum, at 12:10 o'clock P. M., the Senate adjourned until Monday at 11 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 13, 1899. }
11 o'clock A. M.

President Daniels called the Senate to order at 11 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Hemrich, Megler, T. J. Miller, Paul, Plummer, Warburton, and Wooding who were excused.

The following resolution was read by the secretary:

In grateful remembrance of our fallen heroes, Sergeant Miles E. Kyger and Daniel T. Kyger, Jr., comrades of Company I, First Washington Volunteers, who died in our country's service at Manila, February, 1899.

To the bereaved parents who sacrificed their only sons upon the altar of our country:

We, the members of the Senate of the State of Washington, do tender our deepest sympathy in your hour of affliction.

On motion of Senator Yeend the resolution was adopted.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 163, by Senator Carper, entitled "An act to provide for the more efficient assessment and collection of taxes on the property of railroads in the State of Washington, and declaring an emergency," was read the first time. On motion of Senator Carper the rules were suspended, the bill read the second time by title and referred to the Committee on Public Revenue and Taxation.

Senate bill No. 164 by Senator Hall, by request, entitled "An in relation to the poisoning of ground squirrels on crop raising lands, highways, and vacant lands adjoining the same," was read the first time. On motion of Senator Hall the rules were suspended, the bill read the second time by title and referred to the Committee on Agriculture.

To-day being the day universally observed as the birthday of President Lincoln, on motion of Senator Baum, at 11:10 o'clock A. M., the Senate adjourned until to-morrow at 10 o'clock A. M.

DUDLEY ESHELMAN,
Secretary of the Senate

THURSTON DANIELS,
President of the Senate.

THIRTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASH., Tuesday, February 14, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Paul and Wooding, who were excused.

The journal of Saturday was read and approved, as was also the journal of yesterday.

The following messages were received from the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 14, 1899.

MR. PRESIDENT:

The House has amended and passed Senate bill No. 42, entitled "An act making appropriations for equipment and maintenance of the State Normal School at New Whatcom, and for the maintenance of the State Normal School at Ellensburg, and for the maintenance of the State Normal School at Cheney, for two years ending March 31, 1901."

Also has amended and passed Senate bill No. 2, entitled "An act making an appropriation for the office of Commissioner of Public Lands."

Also, has passed Senate bill No. 12, entitled "An act appropriating money for postage and incidentals and for clerical assistance in the office of the Secretary of State."

Also, Senate joint resolution No. 12, requesting the Governor to communicate to the President of the United States the passage of Senate memorial No. 5.

Also, Senate memorial No. 5, relating to ceding to the Canadian government a port in the Territory of Alaska.

Also, House bill No. 91, entitled "An act to fix the time for holding the annual election of road supervisors."

Also, House bill No. 135, entitled "An act authorizing incorporated cities and towns to define and provide for the punishment of vagrants, mendicants, prostitutes, fortune tellers and disorderly persons, and declaring an emergency."

Also, House bill No. 137, entitled "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sales of the same or imitation thereof, etc."

Also, House bill No. 148, entitled "An act to provide for the payment of expenses incurred in compliance with an act entitled 'An act to provide for the construction and maintenance of dikes and dams in certain cases,' approved February 2, 1888, or of any acts amendatory thereof, and declaring an emergency."

Also, House bill No. 198, entitled "An act to amend section 4271 of Ballinger's Annotated Codes and Statutes of Washington, relating to decrease of capital stock of corporations, and declaring an emergency."

Also, House bill No. 227, entitled "An act to amend sections 1, 2 and 3 of an act entitled 'An act to extend the right of eminent domain to electric power companies, and declaring an emergency.'"

Also, House bill No. 228, entitled "An act to regulate the width of wagon tires to be used with lumber or farm wagons."

Also, House bill No. 339, entitled "An act to require railway companies to pay the damage for live stock injured or killed."

The speaker of the House has signed House memorial No. 4, entitled "Memorial to the U. S. congress relating to the rights of settlers within the granted limits of the N. P. R. R. Co. in Clarke and Cowlitz counties;" also, House bill No. 50, entitled "An act for the protection of orphan, homeless, neglected or abused children, etc."

And the same are herewith transmitted to the Senate.

W. F. DILLON, Chief Clerk.

Senator Plummer moved that the special order set for 2 P. M. yesterday be set for 2 P. M. today.

Senator Schofield moved to amend that Senate bill No. 49 be made a special order for 2 P. M. today.

The amendment was carried.

REPORT OF STANDING COMMITTEES.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 7, entitled "An act for the protection against the spread of Canadian and Russian thistle and for the destruction of the same, and for the payment of costs for destroying same," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

The report was placed on file.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 1, "Relating to settlers on lands within the limits of the grant to the Northern Pacific Railroad, have had the same under consideration and we respectfully report the same back to the Senate, with the recommendation that the memorial be indefinitely postponed.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 87, entitled "An act concerning the descent of real and personal property, and amending sections 1480 and 1495 of Vol. 1 of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, Harold Preston, C. A. Mantz, F. M. Baum.

The report was adopted.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 121, entitled "An act to amend sections 6 and 14 of an act entitled 'An act to provide for the manner of commencing civil actions in the superior courts, and bring the same to trial,' approved March 15, 1893, the same being sections 6 and 14 of chapter CXXVII of the Session Laws of 1893, page 407, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, Harold Preston, C. A. Mantz, F. M. Baum.

The report was adopted.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 27, entitled "An act authorizing the issuance and sale of bonds, by cities, to pay for local improvements, providing for the payment thereof, repealing an act entitled 'An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency,' approved March 9, 1893, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass without amendments, as engrossed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, F. M. Baum, C. A. Mantz, Herman D. Crow.

The report was adopted.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 155, entitled "An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

In section 8, line 1, strike the word "here," and insert in lieu thereof "hereby."

Strike out all of section 11.

And that as so amended, the bill do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: Geo. H. Baker, J. C. Van Patten, Joseph Hill, Augustus High.

The report was adopted.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We your Committee on Agriculture, to whom was referred House bill No. 187, entitled "An act granting a bounty for the encouragement of

the production and manufacture of sugar in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: G. H. Baker, Joseph Hill, J. C. Van Patten, Augustus High.

The report was adopted.

On motion of Senator Crow Senate bill No. 27, by Senator Crow, an act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, repealing an act entitled "An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefitted by local improvements, and declaring an emergency," approved March 9, 1893, and declaring an emergency, was placed on its final passage and passed by the following vote: Yeas 29, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Schofield, Van Patten, Wilshire, and Yeend — 29.

Absent or not voting: Senators McReavy, Paul, Runner, Warburton, and Wooding — 5.

The emergency clause passed by the following vote: Yeas 27, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, LeCrone, Mantz, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Schofield, Van Patten, Wilshire and Yeend — 27.

Absent or not voting: Senators High, Land, McReavy, Paul, Runner, Warburton, and Wooding — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Crow, the rules were suspended, and the bill immediately transmitted to the House.

On motion of Senator Mantz, the rules were suspended, and Senate bill No. 7, by Senator Mantz, "An act for protection against the spread of Canadian and Russian thistles, and for the destruction of the same, and for the payment of costs of destroy-

ing the same," placed on its final passage and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Yeend—30.

Nays: None.

Those absent or not voting were: Senators McReavy, Paul, Warburton, and Wooding—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

~~On motion of~~ Senator Mantz, the rules were suspended, and the bill ordered immediately transmitted to the House.

A communication from Frank Pierce, relating to sundry bills pending on the subject of municipal corporations, was placed on file.

INTRODUCTION AND READING OF BILLS.

House bill No. 91, by Mr. Totten: An act to fix the time for holding the annual election of road supervisors.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 135, by Mr. Pratt, (by request): An act authorizing incorporated cities and towns to define who shall be vagrants, mendicants, prostitutes, fortune tellers, and disorderly persons, and providing for the punishment thereof, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 137, by Mr. Sharp: An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same, or imitation thereof, providing for the appointment of a dairy commissioner, and defining his duties, creating a state board of dairy commissioners and defining their duties, imposing certain duties upon the chemists of state institutions, providing penalties for violations of this law, making an appropriation, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 148, by Mr. Parker: An act to provide for the payment of expenses incurred in compliance with an act entitled: "An act to provide for the construction and maintenance of dikes and dams in certain cases," approved February 2, 1888, or of any acts amendatory thereof, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, referred to the Committee on Dikes, Drains and Drainage.

House bill No. 198, by Mr. Sheller: An act to amend section 4271 of Ballinger's Annotated Codes and Statutes of Washington, relating to decrease of capital stock of corporations, and declaring an emergency.

The bill was read the first time; and on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 227, by Mr. Pratt: "An act to amend sections 1, 2 and 3 of an act entitled "An act to extend the right of eminent domain to electric power companies, and declaring an emergency," approved March 11th, 1895.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 228, by Mr. Stocking: An act to regulate the width of wagon tires to be used with lumber or farm wagons.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 339 (substitute for House bill No. 77), by Committee on Dairy and Live Stock: An act to collect damages for stock killed or injured by railroad companies.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

Senate bill No. 165, by Senator Keith: An act defining trusts, and defining the penalty and punishment of corporations, per-

sons, firm, association or person connected with them, and making void all contracts entered into for the purpose of hindering free competition, and to promote free competition in the State of Washington, making persons concerned in the violation of this act competent witnesses, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 166, by Senator Hamilton: An act regulating common carriers, and providing for the transportation of freight and cars from one point in this state to another point in this state, whether over one line or over two or more lines of railroad within this state; prohibiting discrimination by railroad companies and other common carriers, and for the due enforcement and observance of this act, and the division of through rates, issue of through bills of lading, and interchange of cars and business; and requiring common carriers operating railroads to furnish cars to shippers for transportation over its own and connecting roads, and to receive and transport cars, and to unload, discharge and return the same, and to receive and bill freight in carload lots to points beyond its own line of road; and providing for the receiving, transferring and forwarding of freights and cars, and interchange of loaded cars, and the making of joint rates for through shipment when a part of the haul is over one and part on the other of two or more connecting lines of railroad, and providing for a penalty for violation of this act.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Railroads and Transportation.

Senate bill No. 167 by Senator Baker: An act to regulate mutual fire insurance.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 168, by Senator Keith: An act fixing rates for, and making regulations concerning travel on sleeping cars, and providing a penalty for violation of its provisions.

The bill was read the first time; and, on motion of Senator

Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Revenue and Taxation.

Senate bill No. 169, by Senator Mantz, (by request) : An act providing the manner of collecting the state's 10 per cent. on liquor licenses, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate Memorial No. 6, by Senator Biggs: Regarding the Nooksack river, in Whatcom county.

The memorial was read the first time; and, on motion of Senator Biggs, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Memorials.

Senate bill No. 2, by Senator T. J. Miller, entitled "An act appropriating money for clerical and engineering assistance and cost of advertising the sale of tide lands and timber on state lands, in the office of the Commissioner of Public Lands," was read as amended by the House.

Senator T. J. Miller moved that the Senate concur in the House amendments.

The motion prevailed by the following vote : Yeas 29, absent or not voting 5.

Those voting yea were : Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Runner, Van Patten, Wilshire, and Yeend—29.

Absent or not voting were : Senators Baker, Paul, Schofield, Warburton, and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Van Patten, Senate bill No. 49 was made a special order for 11 A. M. next Thursday.

On motion of Senator Cole, Senate bill No. 15 was made a special order for 11:30 A. M. Thursday.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

OLYMPIA, February 14, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 2, entitled "An act appropriating money for clerical and engi-

neering assistance and cost of advertising the sale of tide lands and timber on state lands, in the office of the Commissioner of Public Lands," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

OLYMPIA, February 14, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 12, entitled "An act appropriating money for postage and incidentals, and for clerical assistance in the office of Secretary of State," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed House bill No. 50, for the protection of orphan, homeless, neglected and abused children; also House memorial No. 4, relating to the rights of settlers within the granted limits of the N. P. R. R. Co. in Clarke and Cowlitz counties.

Senate bill No. 42, by Senator Biggs, entitled "An act making appropriations for equipping and improving the grounds and maintenance of the State Normal School at New Whatcom, and for the support, maintenance and development of the State Normal School at Ellensburg, and for the maintenance and improving of the grounds, and repairing the State Normal School at Cheeney," was read as amended by the House.

Senator Runner moved that the bill be placed on general file. Senator Biggs moved to amend that the Senate concur in the House amendments.

Senator Preston moved an amendment to the amendment, "that the Senate resolve itself into a Committee of the Whole for the consideration of the bill."

The amendment to the amendment was carried.

The Senate went into Committee of the Whole with Senator Baum in the chair.

The Committee arose and reported back to the Senate with the recommendation that the Senate refuse to concur in the House amendments.

On motion of Senator Yeend the report of the Committee was adopted.

On the recommendation of Senator McReavy, L. L. Berens was appointed committee clerk of group 8, during the illness of James Miller, the clerk of said group, and E. C. McReavy was transferred from group 8 to group 3.

On motion of Senator Keith the Senate adjourned at 12 M. until 2 P. M.

President Daniels called the Senate to order at 2 P. M. pursuant to adjournment.

The secretary called the roll, all members being present except Senators Paul and Wooding, who were excused.

On motion of Senator Andrews, Senate joint memorial No. 2, by Senator Andrews, relating to American merchant marine, was placed on its final passage and passed by the following vote: Yeas 23, nays 1, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hall, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Plummer, Runner, Van Patten, Warburton, Wilshire and Yeend — 23.

Senator Reinhart voted nay.

Absent or not voting were: Senators Baum, Biggs, Hamilton, High, Miller David, Miller T. J., Paul, Preston, Schofield and Wooding — 10.

On motion of Senator Andrews, the rules were suspended and the memorial immediately transmitted to the House.

Senator Warburton was excused until Thursday.

House bill No. 49, by Mr. Mount, relating to the creation and organization of the county of Ferry, was taken up for consideration.

The majority and minority report of the Judiciary Committee, relating to the bill, was read by the secretary.

Senator Mantz moved to substitute the minority report for the majority report.

The motion was lost by the following vote: Yeas 5, nays 24, absent or not voting 5.

Those voting yea were: Senators Carper, Mantz, Preston, Schofield and Van Patten — 5.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Runner and Yeend — 24.

Absent or not voting: Senators Hall, Paul, Reinhart, Warburton and Wooding — 5.

On motion of Senator Plummer, the majority report was adopted.

On motion of Senator Plummer, the bill was placed on its final passage.

On motion of Senator Wilshire, action on the bill was deferred, pending the proper arrangement and amendments to the bill.

A motion to adjourn, by Senator Mantz, was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., February 14, 1899.

MR. PRESIDENT:

The House has refused to recede from its amendments to Senate bill No. 42.

W. F. DILLON, Chief Clerk.

The president called Senator Hall to preside.

Senate bill No. 77, by Senator Cole, for the protection of persons working in coal mines, and amending an act entitled "An act for the protection of persons working in coal mines," approved March 6, 1897, was read by the secretary.

Senator Cole moved an amendment by striking after the word "his" in line 24, section 1, "mileage for traveling," and insert in lieu thereof "actual traveling expenses."

Senator Wilshire moved to amend by adding after expenses, "exclusive of subsistence."

The amendment was carried, and the motion prevailed.

On motion of Senator Preston, section 1 was amended by adding after "salaries," in line 27, "and said traveling expenses."

On motion of Senator Preston, the bill was referred to the Engrossing Committee.

The amendments having been arranged on House bill No. 49, it was again taken up for consideration.

On motion of Senator Plummer section 13 was amended by striking "and," in line 8, and inserting "or" in lieu thereof.

Senator Mantz moved to amend section 2 by adding the following: "Immediately upon the appointment and qualification of the auditor of Ferry county the auditor of said Ferry county and the auditor of Stevens county shall apportion the indebtedness that Ferry county will under this section assume, and the county commissioners of said Ferry county shall order warrant or warrants drawn to the amount of the indebtedness assumed by the said county of Ferry in favor of said Stevens county, and if said apportionment cannot be made amicably between the said

auditors, then the same shall be adjusted by the superior court of Stevens county in an action brought before said court for that purpose."

The motion prevailed.

The bill was then read the third time and passed by the following vote: Yeas 24, nays 5, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Wilshire, and Yeend — 24.

Those voting nay were: Senators Carper, Mantz, Preston, Reinhart, and Runner— 5.

Absent or not voting: Senators Hall, Paul, Van Patten, Warburton, and Wooding — 5.

Senator Schofield gave notice that at the proper time he would move to reconsider the vote by which the bill passed.

The emergency clause passed by the following vote: Yeas 26, nays 4, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Wilshire and Yeend—26.

Those voting nay were Senators: Mantz, Preston, Reinhart and Runner—4.

Absent or not voting: Senators Paul Van Patten, Warburton and Wooding—4.

Senator Schofield gave notice that at the proper time he would move to reconsider the vote by which the emergency clause passed.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Runner asked for consent that his amendments to the rules be postponed until to-morrow, which was granted.

The president signed Senate bill No. 2, by Senator T. J. Miller: Appropriating money for clerical and engineering assistance and cost of advertising the sale of tide lands and timber on state lands, in the office of the Commissioner of Public Lands; also Senate bill No. 12, by Senator Plummer: Appropriating money

for postage and incidentals and for clerical assistance in the office of the Secretary of State.

Senator Megler moved that a conference committee of three Senators be appointed to confer with a like committee from the House to consider amendments to Senate bill No. 42.

The motion prevailed.

The following resolution was offered by Senator Biggs:

WHEREAS, Existing laws inadequately provide for the care of such youth of the state under the disability of idiocy and lunacy as shall become county charges: Now, therefore, be it

Resolved, That the Judiciary Committee be requested to report as to the advisability of (or if by such committee deemed advisable, to report a bill accordingly) so amending article 5, of chapter 4, of title 15, of volume 1, of Ballinger's Codes and Statutes of Washington, relating to the School for Defective Youth, as to provide for the admission to, and care by, such school of such youth of the state between the ages of six and twenty-one years, who are under the disability of idiocy and lunacy, as, under the provisions of chapter 6, of title 5, of volume 1, of Ballinger's Codes and Statutes of Washington, shall become a county charge.

On motion of Senator Biggs the resolution was referred to the Committee on Judiciary.

On motion of Senator David Miller the Senate adjourned at 5:15 P.M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

THIRTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 15, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Paul, Reinhart, Warburton and Wooding who were excused.

The journal of yesterday was read and approved.

Senator Land moved that the secretary be instructed to have one of the committee clerks assist the index clerk.

Senator Davis moved to amend by adding "when not otherwise engaged."

The motion as amended prevailed.

The president appointed Senators Megler, Biggs and Crow as a conference committee to meet a like committee from the House to consider amendments to Senate bill No. 42.

SENATE CONCURRENT RESOLUTION NO. 13.

WHEREAS, There are several propositions before the Legislature for the purpose of devising means for the investment of the permanent school funds of this state and believing that the desired result will not be accomplished, by the enactment of any of these bills into law, therefore, be it

Resolved by the Senate, the House concurring, That a committee consisting of seven (7) members (three (3) to be appointed by the president of the Senate and four (4) to be appointed by the speaker of the House) be appointed to consider and report, a bill or bills, for the investment of the said funds, and all bills now pending in either house on this subject be referred to this committee.

On motion of Senator Runner the resolution was adopted.

The president appointed Senators Runner, Davis and Preston, a committee, pursuant to the foregoing resolution.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, February 14, 1899.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 237, entitled "An act to amend section 4 of chapter 8 of title 1, and section 72 of chapter 2 of title 3 of the Code of Public Instruction, approved March 19, 1897, repealing the last proviso of said section 72, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the title of the act be amended by inserting "and section 116 of chapter 6 of title 3," between "III" and the word "of" in the first line of the printed bill.

That section 3 be changed to section 4, and that the following be added as section 3:

SEC. 3. That section 116 of chapter 6 of title III of the Code of Public Instruction, approved March 19, 1897, and found on page 401 of the Session Laws of 1897, be amended to read as follows: Sec. 116. When a new district is formed from one or more old districts, it shall be entitled to a just share of the school moneys to the credit of the one or more old districts, from which the new district is formed, at the time the petition was granted

to establish the new district. And the county superintendent (or in case of an appeal, the county commissioners,) shall divide such moneys, and also such moneys as may, for the current year, afterward be apportioned to the said one or more old districts, according to the number of school children resident in the new district, as may be ascertained by a census taken for that purpose: *Provided*, That the new district shall be entitled to all special tax levied within the boundaries of the new district for the current year in which the new district is formed. And if such special tax, or any part of it, has already been collected and placed to the credit of the aforementioned one or more old districts, it shall be the duty of the county treasurer, upon the order of the county superintendent, to transfer such special tax to the credit of the new district.

And that the bill do pass as amended.

Respectfully submitted. J. C. VAN PATTEN, Chairman.

We concur in this report: E. C. Keith, Harold Preston, S. M. LeCrone, Paul Land.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 77, entitled "An act amending Chapter XLV of the Session Laws of 1897, entitled "An act for the protection of persons working in coal mines," approved March 6, 1897, have had the same properly engrossed.

Respectfully submitted. J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

The report was adopted.

OLYMPIA, February 14, 1899.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to which was referred Senate bill No. 83, entitled "An act to establish an industrial home for the blind, making an appropriation therefor, and declaring an emergency," having considered the same, respectfully report that the bill be indefinitely postponed.

Respectfully submitted. S. M. LECRONE, Chairman.

We concur in this report: E. C. Keith, D. E. Biggs, W. E. Runner, Augustus High.

On motion of Senator Preston, the report and the bill were placed on general file.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to which was referred substitute for Senate bill No. 78, entitled "An act to amend section 1 of chapter XLV of the Session Laws of 1897, entitled 'An act for the protection of persons working in coal mines,' approved March 6, 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted. PAUL LAND, Chairman.

We concur in this report: E. Hammer, Thos. J. Miller, J. A. Davis.

On motion of Senator Preston the report was adopted, and the bill ordered printed.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 15, 1899.

MR. PRESIDENT:

The speaker of the House has appointed Mr. Englehart, Mr. Callvert and Mr. Witter, on the part of the House, as conference committee on Senate bill No. 42.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

The House has passed Senate joint memorial No. 2, entitled "An act relating to American merchant marine, and the same is herewith transmitted.

The House insists on its amendments to Senate bill No. 42 and respectfully asks for a conference committee on the same.

The House has passed House bill No. 107, entitled "An act in regard to the investment of permanent school funds."

Also, House bill No. 108, entitled "An act authorizing the issuance of state bonds and the investment of the permanent school funds therein."

Also, House bill No. 215, entitled "An act prohibiting the sale of brook trout and mountain trout and declaring an emergency, and the same are herewith transmitted.

W. F. DILLON, Chief clerk.

REPORT OF STANDING COMMITTEES.

MR. PRESIDENT :

We, your committee on Public Buildings and Grounds, to which was referred House bill No. 319, substitute for Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol Building, etc.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended:

Section 1. In line 2 of the printed bill, after the word "construction" insert "and furnishing." Same line strike out "the" and insert "a." Same line after word "building" insert words "in the city of Olympia."

In line 3 strike out first "the." Same line strike out "heretofore" and insert "to be." Same line strike out last word "by."

Strike out lines 4 and 5, and line 6 to, and including the word "reduce." Same line, insert after the word "completing," the words "and furnishing." Same line strike out the last word "to."

Line 7 strike out all after word "not" and insert "to exceed \$275,000."

Section 3. Line 1 strike out "\$24,000" and insert "\$12,000."

Section 5. Line 2 strike out word "the" and insert "an." Same line strike out "heretofore" and insert "to be."

Line 3 strike out first five words and insert "the furnishing and purchasing of such plans." Same line strike out "reduce" and insert "guarantee." Same line, after the word "completing" insert "and furnishing."

Line 4, after the word "submission" insert "and acceptance." Same line strike out "modified."

Section 6. Line 2, after the first word insert "and furnishing." Strike out "600,000" where it occurs and insert "275,000."

Add sections 7, 8, 9, 10, 11. as follows:

SEC. 7. The State Capitol Commission is hereby fully authorized to purchase from Thurston county, and the board of county commissioners of Thurston county is hereby fully authorized to sell to the State of Washington through the State Capitol Commission, the county court house and grounds now owned and used by said Thurston county in the City of Olympia; and upon such purchase being made by the State Capitol Commission, the same shall be used, together with such additions thereto as may be erected, as the capitol building of the State of Washington.

SEC. 8. In case the State Capitol Commission shall purchase the said court house and grounds, it shall add thereto and furnish such additions as are necessary to fit it for the use of the state, and for that purpose may expend any remaining portion of the appropriation made by this act, after retiring the bonds issued by the County of Thurston, and mentioned in section 9 of this act.

SEC. 9. In case the said county court house and grounds are purchased by the state as aforesaid, the bonds of Thurston county, held in the permanent school fund of the state, shall be surrendered to said Thurston county as a part of the purchase price thereof, the full amount of said bonds shall be replaced in the permanent school fund, and the interest due thereon shall be placed in the current school fund, and the entire amount of both principal and interest shall be taken out of the appropriation made by this act.

SEC. 10. In the event that the State Capitol Commission and the county commissioners of Thurston county shall fail to agree upon a price to be paid for the county court house and grounds, or in the event that the county commissioners of Thurston county refuse to sell the same to the state, the Capitol Commission may proceed to erect a suitable capitol building either upon the foundation already built or upon a new foundation to be constructed upon the grounds and site now owned by the state for capitol purposes: *Provided, however,* That in no event shall the cost for completing and furnishing such capitol building exceed the amount appropriated by this act herein.

SEC. 11. An emergency exists, and this act shall take effect immediately.

Respectfully submitted,

ED S. HAMILTON, Chairman.

We concur in this report: J. A. Cole, T. J. Miller, John McReavy.

REPORT OF SPECIAL SENATE COMMITTEE APPOINTED TO INVESTIGATE INTO THE SALMON FISHING INDUSTRY OF THE STATE OF WASHINGTON.

To the Honorable Senate of the Sixth Legislature:

We, your committee appointed by the Senate of the fifth legislature of the State of Washington, under the following resolution:

"*Be it Resolved,* That a committee of seven hold-over senators be appointed by the president of the Senate who shall visit the Columbia river, Gray's Harbor, Shoalwater Bay and Puget Sound during the fishing season of 1897, and examine the various methods adopted to take fish, and the effect of such methods upon the fishing industry, and all matters pertaining thereto, and report to the next regular session of the legislature the result of such investigation."

beg leave to submit the following report:

Your committee has made a very extensive and painstaking investigation. All of the fishing centers of the state have been visited and the testimony of practical fishermen has been received, carefully weighed and considered.

On July 29, 1897, your committee assembled at Tacoma and on the following day proceeded to Portland, Oregon, for the purpose of examining the fishing industry and appliances on the Columbia river.

We first made a personal examination of the mode of taking fish by fish wheels at the Cascades and its effects on the fishing industry. We found no objection to the fish wheel as now operated. There are constructed and in operation twenty-one fish wheels from Washougal up to and including those at the Cascades in the Columbia river. The leads vary from forty to one hundred and sixty feet in length, but most of these do not exceed seventy-five feet. The leads extend diagonally down stream so that the end of the lead, as a rule, does not exceed forty feet distant from shore line. The leads during low water are entirely on the shore; this gives a clear waterway for the fish of nearly the entire width of the stream.

Owing to the fact that much of the complaint in regard to the fishing industry before the Fifth Legislature of the State of Washington came from gill-net fishermen located at the mouth of the Columbia river, we proceeded to Astoria and from there to Baker's Bay to examine into the mode of taking fish by gill-nets and fish-wheels. In Ilwaco we called a meeting of the gill-net fishermen and invited general discussion on the use of fish-traps. Only three men made any objection to their use at Baker's Bay and these objections we found not well taken, as no sufficient or adequate reason was proposed for the abolition of the fish-traps. We ascertained that only a small number, not to exceed fifty, gill-net fishermen reside on the Washington side of the Columbia river, the greater portion of them living in Oregon or having no fixed habitation. There are about four hundred traps in Baker's Bay, most of them owned and operated by individuals who are residents or citizens of the State of Washington, residing at Ilwaco. The law of the State of Washington providing that no one individual shall be interested in more than three traps is generally observed.

We found that the waters of Baker's Bay where the traps are located are too shallow to permit gill-net fishermen to successfully operate. As a result of this part of our investigation we arrived at the decision that the complaint of the gill-net fishermen was not well taken.

Upon examination of the manner and mode of operating gill-nets we are of the opinion that, as operated at the present time, under our statutes, they are as much, if not more, of a menace to the fishing industry than that of any other appliance on the Columbia river.

Much has been said by contending interests regarding the destruction of young and immature salmon by fish-traps and wheels located on the Columbia river which our observation has failed to confirm. The percentage of small fish caught is very small.

Our investigation confirmed the statements made by leading scientists who have made a special study of fish, that the small salmon so caught are of mature age, but stunted and are on their way to the spawning ground. On this proposition we fully concur with the report of the special committee appointed by the Oregon Legislature of the fourteenth regular session, found on page 7 of said report, which is as follows:

"The question that now arises is whether or not the taking of them is injurious to our fish industry. If those small salmon referred to ascend the river and return to the

ocean and again ascend the river a larger salmon, then of course it is injurious to our fish industry to take them while they are small; but if on the contrary they ascend the river, perform their functions the same as the large salmon and then die; in that case the taking of them while small is not hurtful to the fish industry of the state, but to the contrary beneficial for reasons which will be hereafter explained.

"The most reliable authorities on this subject and those who have made the most thorough investigation into the habits of the Chinook salmon, assert that they ascend our rivers and after they have completed spawning die."

In this connection we submit the opinion of several of the most noted experts on this subject. A perusal of these expert opinions will show that our conclusions are fully warranted:

From a letter written by Prof. Jordan, of Stanford University:

"It now seems probable that the small Chinook salmon running in the Columbia river are all young males. They are all sexually mature and the greater part of them die on the spawning bed. As no females are found among these young fish, it would seem that their destruction can do no harm. As it is, the adult males are sufficiently numerous to serve the needs of the species."

Extracts from a letter by Prof. C. H. Gilbert, of Stanford University:

"As regards the small Chinook salmon taken by traps, seines, and wheels, we know positively the following facts:

"1. The fish are exclusively males.

"2. They are sexually mature, and are on their way to the spawning beds where they attempt to fertilize the ova, being usually, however, driven away by the larger males.

"3. Many of them die, together with the larger fish on the spawning grounds.

"Beyond these facts we can use only conjecture. It is probable that they share the fate of the larger fish. You know well the controversy that rages over this question. From the nature of the case it is almost impossible to prove that all spawning Chinooks die, even if we assume that they do. If any considerable number *survives*, it ought not to be so difficult to show that such is the case, as spent Chinook might then be taken, just as we now take spent steel-heads. With claiming that the case is proven, most of us believe that practically all spawning Chinooks perish in the act, and with them the immature males in question. If this be true their capture in the lower river does not injure the industry."

Mr. W. F. Hubbard, president of the Clackamas hatchery, which was visited by your committee, fully concurs in the foregoing, in the following language:

"My experience with the (young or small) salmon has been mostly gained while they are in the spawning streams, and I think I am safe in saying that all Chinook salmon weighing ten pounds or under, are males; I know that there are always large males to fertilize all the eggs deposited by the females on the spawning grounds, and so these small males are in no way needed to keep up the supply of salmon. And if there is anything in the theory that 'like hags get like,' it might make an improvement in the size of the salmon if there were no small males.

"The generative organs in these small fish are fully developed, and they become 'ripe' at the proper season and deposit the milt on the spawning grounds and die afterwards, just as the larger fish do."

Citations from other authorities regarding other questions which your committee found to be under discussion among those engaged in the fishing industry, follow.

Major Jones' report to the war department, 1888, chapter 6:

"The evidence goes to show that most of the salmon die on the spawning grounds."

Report of the Oregon Special Investigating Committee, 1889, page 8, says:

"The rack has proven without a doubt that the Chinook salmon die after spawning."

Prof. Gilbert, of Stanford University, endorses this report in a letter to Senator Barin, under the date of July 27, 1897.

Barton W. Everman, of the United States Fish Commission, reports on the investigation of Columbia River salmon in the State of Idaho, says:

"All Chinook salmon which come to these waters die after spawning;" also, "all specimens of the *oncorhynchus norka*, or the Columbia river blueback. The evidence is conclusive."

See Bulletin U. S. Fish Commissioner, Vol. 16, 1895.

The above statement is also confirmed by the investigations of Everman and Meek in 1896, and published by the U. S. Fish Commission, 1898.

Livingstone Stone, in the report of his investigations on "The propagation of salmon on the Pacific Coast of the United States," published in the Bulletin of the U. S. Fish Commission, 1895, Vol. 16, says:

"It is a singular fact regarding the quinnat salmon that those at least, that spawn a long distance from the ocean, never return to it alive. They all die on the spawning ground. This fact, I am aware, has been disputed many times, and it is by no means universally accepted now. But its truth has been proved so repeatedly and so conclusively that it is no longer open to question."

Before leaving the Columbia river district we visited the government fish hatchery at Clackamas in Oregon, under the supervision of W. F. Hubbard, and ascertained from him the benefits derived from artificial propagation of fish, upon which matter your committee will speak further in this report.

We then returned to Puget Sound and took the steam boat from Seattle and proceeded to investigate the canneries at Anacortes, Friday Harbor, Blaine, Point Roberts and Port Angeles and there visited the canneries on the Frasier river. We also examined the fish traps at Point Roberts and among the islands in and around San Juan island and in the neighborhood thereof in order to investigate the persistent reports that traps at Point Roberts were catching all of the fish on their way to the Frasier river, the natural spawning grounds of the Sockeye salmon. We have to report, however, that we found the gill-net fishermen catching a large bulk of the fish and that the traps in no wise interfered with them.

In connection with the Frasier river investigation we desire to attest the remarkable run of salmon then on, and to further report that, in our opinion, a large number of the dead fish found on the shores of Boundary bay and vicinity came from this river. Our examination into the manner and methods of the fishermen and cannery managers on the Frasier river developed the fact that each cannery had entered into an agreement to take a certain number of fish per day from each fisherman. The run of salmon was, however, so very large that the average fisherman would take a much greater number than he had contracted to sell expecting the canneries to take them off his hands should he bring them ashore and offer them for sale. Such was not the case, the capacity of the canneries being entirely inadequate to use the supply of fish. It was estimated that about three million so caught

spoiled and were thrown into the river again. We believe but a small percentage of the fish destroyed were caught in the fish traps.

To successfully operate the cannery it is necessary that it have a constant supply of fish during the canning season. This cannot be accomplished by any mode of fishing without the aid of fish traps.

The following appliances are used on the Sound for the taking of salmon, to-wit: Drag seines, purse seines, gill-nets and fish traps. The most successful of these in operation are the fish traps. Most of the fishing done with these appliances is near the straits of Fuca and Point Roberts, where the waters are frequently rough preventing the successful operation of the gill-net, purse seines and the drag seines.

On October 10, 1898, we again met at Tacoma and spent the day with the department of the State Fish Commissioner. We then proceeded to South Bend and spent October 12th and 13th carefully examining the fishing appliances of Willapa Harbor and vicinity. We had the good fortune to have two meetings with the gill netters and were enabled to make a most thorough examination into all the phases of fishing industries thereabouts. Our conclusions there arrived at, that the same methods and laws shall apply to Gray's Harbor as to Willapa Harbor, have since met with general approval among fishermen.

On October 14th we visited Aberdeen and Gray's Harbor and there confirmed our opinion as regards the application of the law to both that harbor and Willapa Harbor. Our conclusion, in brief, was that one was as much entitled to traps as the other and that the conditions were to all intents and purposes identical.

Your committee arrived back at Tacoma October 15, 1898, and there ended our work as a committee, although, as individuals, we have since continued our investigations with much interest and knowledge of the fishing industry as carried on in the several sections of the state.

In summarizing our recommendations we wish to report as follows: We favor:

First. A general increase in licenses on all fishing appliances on Puget Sound.

Second. Concurrent legislation on the parts of the states of Washington and Oregon for the regulation of the fishing industry on the Columbia river.

Third. A liberal appropriation for the fish hatchery of Washington believing that the development of the fishing industry of Washington is practically without limit, but that the license fee must maintain all hatcheries, etc.

Fourth. The continuation of the present fishing appliances.

Fifth. The taxing of fresh fish dealers on a basis of the number of tons of fish handled, the tax to be very moderate.

Sixth. The taxing of double traps at a proportionate larger sum than single traps.

Seventh. The taking of the entire outfit of the canneries regardless of the number of cases packed.

Eighth. That the leads on Puget Sound including Point Roberts be

limited to a maximum length of 1,500 feet, and that piling for traps be not allowed a greater depth of water than 65 feet at mean or ordinary high tide.

We submit herewith the opinion of the Assistant Attorney General concerning recommendations five and seven of our report.

February 14, 1899.

Hon. W. E. Runner, Senate Chamber, Olympia, Wash.:

DEAR SIR—I beg to acknowledge receipt of your request for an opinion as to the power of the state to impose a tax or license on canneries.

Responding thereto, I beg to say that the state has full power, unquestioned, to levy a tax or license on privileges, occupations or business. The doctrine is nowhere questioned as set up above, and it is illustrated by the citations of authorities given herein below.

1. The state has power to levy tax or license on privileges, occupations or business.
Cooley on Taxation, chap. 6, pp. 164, *et seq.*, and pp. 570, *et seq.*, with citations under both pages.

1 Desty on Taxation, p. 191, and cases cited in notes 1, 2, 3, 4, 5, 6 and 8.

Ibid., pp. 303, 304.

2. Taxes on privileges, business or occupation, are not violative of constitutional rule requiring taxes to be uniform and equal in their levy and operation.

1 Desty on Taxation, 191, 304

Cooley on Taxation, *supra*.

3. Payment of privilege taxes may be compelled, under criminal penalties.

Cooley on Taxation, 572.

St. Louis vs. Sternberg, 69 Mo., 289.

St. Louis vs. Green, 70 Mo., 562.

State vs. Hayne, 4 S. C., 403.

4. State may impose its tax either in the form of a tax or in the form of a license on a privilege. All authorities above cited.

Trusting this conveys to you the information you desire, I am,

Very respectfully yours,

THOS. M. VANCE,

Assistant Attorney-General.

Respectfully submitted,

JOHN MCREAVY, Chairman.

We concur in this report: J. A. Davis, Augustus High, W. E. Runner, F. M. Baum, John I. Yeend.

On motion of Senator Davis, the report was placed on general file and 1,000 copies ordered printed.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 170, by Senator Preston: An act in relation to the support of the poor and indigent, and establishing the liabilities of counties in reference thereto, and providing for the enforcement thereof.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Counties and County Boundaries.

Senate bill No. 171, by the Committee of the Whole: An act for the eradication of the Russian and Canada thistle in the State of Washington, and appropriating money therefor.

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee of the Whole.

Senate bill No. 172, by Senator Schofield (by request): An act to amend section 4469 of volume 1 of Ballinger's Annotated Codes and Statutes of the State of Washington, defining who may solemnize marriages.

The bill was read the first time; and, on motion of Senator Schofield, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 173, by Senator Davis: An act changing the present mode of doing the state printing; providing for state ownership of a printing and binding plant, and making an appropriation therefor; repealing sections 144, 145, 146, 147, 148, 149, 2929, 2930, 2931, 2932, 2933, 2934 and 2935 of volume 1 of Hill's Annotated Statutes and Codes of Washington, and abolishing the office of State Printer.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second by title, and referred to the Committee on Printing.

Senate bill No. 174, by Senator Yeend: An act regulating the appropriation of the waters of this state for the purposes of irrigation.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

House bill No. 107, by Mr. Bedford: An act in regard to the investment of the permanent school funds in state warrants, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 108, by Mr. Bedford: An act authorizing the issuance of state bonds and the investment of the permanent school fund therein, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 215, by Mr. Clark: An act prohibiting the sale

of mountain, lake, stream and brook trout, except such as are artificially propagated.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

GENERAL FILE.

On motion of Senator Cole Senate bill No. 77, by Senator Cole, an act for the protection of persons working in coal mines, and amending an act entitled "An act for the protection of persons working in coal mines," approved March 6, 1897, was placed on its final passage and passed by the following vote: Yeas 20, nays 8, absent or not voting 6.

Those voting yea were: Senators Baum, Carper, Clapp, Cole, Davis, Hall, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Runner, Van Patten, Wilshire, and Yeend — 20.

Those voting nay were: Senators Andrews, Crow, Hamilton, Hammer, Hemrich, LeCrone, Preston, and Schofield — 8.

Absent or not voting: Senators Baker, Biggs, Paul, Reinhart, Warburton, and Wooding — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 170, by Mr. Welty, an act authorizing the boards of county commissioners of the several counties of the State of Washington to audit, and order warrants drawn in favor of all persons who were employed in the survey, laying out, or construction of public roads, or roads which are now used by the public in any county of the State of Washington, such survey, laying out, or construction, having been done by order of the superior court, or the board of county commissioners in such county under chapter 28, page 237 of the Session Laws of 1893, the same having been subsequently declared void by the supreme court of the State of Washington, and declaring an emergency, was read the third time.

On motion of Senator Mantz section 1 was amended by striking "and pay," in line 4 of the engrossed bill.

On motion of Senator Mantz the bill was placed on its final passage, and passed by the following vote: Yeas 24, absent or not voting 10.

Those voting yea were: Senators Andrews, Baum, Biggs,

Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller T. J., Plummer, Preston, Runner, Van Patten, Wilshire, and Yeend — 24.

Absent or not voting: Senators Baker, Cole, Crow, Megler, Miller David, Paul, Reinhart, Schofield, Warburton, and Wooding — 10.

The emergency clause passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Van Patten, Wilshire, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Baker, Cole, Crow, Paul, Reinhart, Runner, Schofield, Warburton, and Wooding — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston, House bill No. 14, by Mr. Falknor, an act amending an act entitled "An act relating to exemptions of personal property," approved March 11, 1897, was read the third time, and on motion of Senator Preston, was placed on its final passage, and failed to pass by the following vote: Yeas 12, nays 12, absent or not voting 10.

Those voting yea were: Senators Baum, Carper, Clapp, Hall, Hamilton, Hammer, LeCrone, Mantz, Megler, Miller David, Preston, and Schofield — 12.

Those voting nay were: Senators Andrews, Biggs, Davis, Hemrich, Hill, Keith, Land, McReavy, Plummer, Van Patten, Wilshire, and Yeend — 12.

Absent or not voting, Senators Baker, Cole, Crow, High, Miller T. J., Paul, Reinhart, Runner, Warburton, and Wooding — 10.

Senator Wilshire gave notice that at the proper time he would move to reconsider the vote by which the bill failed to pass.

On motion of Senator Biggs, the Senate adjourned at 12 o'clock M., until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 o'clock p. m. pursuant to adjournment.

The secretary called the roll all members being present except Senators Reinhart, Warburton and Wooding, who were excused.

The following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

The House has passed House bill No. 285, entitled "An act relating to negotiable instruments."

The speaker of the House has signed Senate bill No. 2, entitled "An act making an appropriation for the office of Commissioner of Public Lands."

Also, Senate bill No. 12, entitled "An act appropriating money for postage and incidentals, and for clerical assistance in the office of the Secretary of State."

And the same are herewith transmitted to the Senate.

W. F. DILLON, Chief Clerk.

Resolved; That the committee upon Elections and Privileges be directed to examine and ascertain if there is a custom of the senate for the payment of the expenses of contesting seats in the senate and to report what such custom is and also to report the amount of the expenses of each of the parties to the Gray-Mantz contest that should be paid by the senate under the custom and precedents of the senate and also to report such action as said committee may deem advisable in the premises.

On motion of Senator Keith the resolution was adopted.

House bill No. 150, by Mr. Mount, An act relating to the serving and filing of papers in proceedings in the courts of this state, was read and on motion of Senator Preston was ordered placed on the foot of the calendar.

House bill No. 187, by Mr. Stewart, An act granting a bounty for the encouragement of the production and manufacture of sugar in the state of Washington, was read the third time by the secretary. Senator Andrews moved to amend section 2 by striking the words beginning with the word "for" in line 2 and ending with the word "producer" in line 3.

The motion was lost.

Senator Schofield moved to amend by striking "and" in line 5, section 4 of the printed bill. •

Senator Preston moved an amendment that all of the last sentence of section 4 be stricken.

The amendment was lost and the original motion prevailed.

Senator Hemrich moved to amend section 2, by inserting after "producer," in line 3, the words "at the place of manufacture."

The motion prevailed.

On motion of Senator Plummer the vote by which Senator Hemrich's motion prevailed was reconsidered.

On motion of Senator Plummer the amendment was not adopted.

On motion of Senator T. J. Miller, the bill was placed on its final passage and passed by the following vote: Yeas 22, nays 7, absent or not voting 5.

Those voting yea were: Senators Baum, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Schofield, Van Patten and Yeend — 22.

Those voting nay were: Senators Andrews, Biggs, Cole, Hemrich, Mantz, Preston and Wilshire — 7.

Absent or not voting: Senators Baker, Land, Reinhart, Warburton, and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 73, by Mr. Smith, an act declaring bicycles to be baggage, and providing for the carrying of the same by railroad corporations, was read the third time by sections.

Senator Plummer moved to amend section 1, by inserting after the word "corporations" the words "and steamboats" and after the word "corporation" in line 4 the words "or steamboats."

The motion prevailed.

Senator Wilshire moved to amend the title by adding thereto the words "and steamboats."

The motion prevailed.

Senator Plummer moved to amend by adding the following to be known as section 2:

Any person or persons having charge of the transportation of baggage for any railroad or steamboat corporation or for any person or persons operating any railroads or steamboat upon which passengers are trans-

ported, who shall refuse or neglect to carry out the provisions of this act shall be fined in any sum not exceeding one hundred dollars.

The motion prevailed.

On motion of Senator T. J. Miller, the vote adding section 2 to the bill was reconsidered by the following vote:

Yeas 15, nays 14, absent or not voting 5.

Those demanding the roll call were: Senators Runner, Mantz, Miller T. J., McReavy, Hamilton and Davis.

Those voting yea were: Senators Andrews, Carper, Cole, Crow, Davis, Hall, Hamilton, Hill, LeCrone, McReavy, Megler, Miller David, Miller T. J., Schofield, and Van Patten — 15.

Those voting nay were: Senators Baum, Biggs, Clapp, Hammer, Hemrich, Keith, Land, Mantz, Paul, Plummer, Preston, Runner, Wilshire and Yeend — 14.

Absent or not voting were: Senators Baker, High, Reinhart, Warburton, and Wooding — 5.

The roll was called on the adoption of the amendment which failed by the following vote:

Yeas 13, nays 17, absent or not voting 4.

Those demanding the roll call were: Senators Mantz, Hamilton, Megler, Crow, Runner, and Biggs.

Those voting yea were: Senators Baum, Biggs, Clapp, Hammer, Keith, Land, Mantz, Paul, Plummer, Preston, Runner, Wilshire, and Yeend — 13.

Those voting nay were: Senators Andrews, Carper, Cole, Crow, Davis, Hall, Hamilton, Hemrich, High, Hill, LeCrone, McReavy, Megler, Miller David, Miller T. J., Schofield, and Van Patten — 17.

Absent or not voting were: Senators Baker, Reinhart, Warburton, and Wooding — 4.

The bill was then placed on its final passage, and passed by the following vote:

Yeas 23, nays 6, absent or not voting 5.

Those voting yea were: Senators Baum, Biggs, Clapp, Cole, Crow, Davis, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Schofield, Wilshire, and Yeend — 23.

Those voting nay were: Senators Andrews, Carper, Hall, Hemrich, Preston, and Van Patten — 6.

Absent or not voting: Senators Baker, Mantz, Reinhart Warburton, and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The president called Senator Wilshire to preside.

House bill No. 237, by Mr. Pendergast, An act to amend section 4 of chapter 8 of title I, and section 72 of chapter 2 of title III of the Code of Public Instruction, approved March 19, 1897, repealing the last proviso of said section 72, and declaring an emergency, was read the third time and passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, and Yeend — 29.

Senator Biggs, voted nay — 1.

Absent or not voting: Senators Baker, Reinhart, Warburton, and Wooding — 4.

The emergency clause passed by the following vote: Yeas 29, nays 0, absent or not voting 5, total 34.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, and Yeend — 29.

Absent or not voting: Senators Baker, Biggs, Reinhart, Warburton, and Wooding — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The president resumed the chair.

Senator Runner asked for consent that his amendment to the rules be laid over until to-morrow, which was granted.

REPORT OF COMMITTEES.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, a number of your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 17, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November 1900, relative to taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that a majority of your committee

are opposed to the passage of the bill but do recommend that the bill be placed on general file.

Respectfully submitted.

HAROLD PRESTON, Chairman.

We concur in this report: W. E. Runner, J. G. Megler.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, a minority of your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 17, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November 1900, relative to taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation of the minority of said committee that the bill be amended as follows:

Section 1, line 14, printed bill, strike out the word "a" before the words "general law."

Section 1, line 14, strike out the word "private."

Strike from lines 14 and 15 the words "head of a family," and insert in lieu thereof the word "householder."

Strike from section 2, line 5, the word "such," and further recommend that the bill as amended pass.

JOSEPH HILL.

OLIVER HALL.

DAVID MILLER.

The undersigned, a minority of the Senate Committee on Constitution and Constitutional Revision, recommend the following amendment to the foregoing minority report, to-wit:

Strike out from the end of section 1 the word "householder" and insert the following words, to-wit, "each person liable to assessment and taxation under the laws of this state of which such person is the actual and *bona fide* owner," and recommend that with this amendment the foregoing minority report be adopted.

JOSEPH HILL.

The following members of said committee report further as follows, that the bill as reported by the first foregoing minority report should be amended by striking therefrom the last proviso and inserting in place thereof the following: "Provided still further that the legislature may by general law exempt from taxation the personal property of each householder or any amount thereof."

W. E. RUNNER.

PAUL LAND.

On motion of Senator Preston the bill and the reports were placed on general file.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 18, entitled "An act providing for an amendment to the constitution of the State of Washington, exempt-

ing personal property from taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

HAROLD PRESTON, Chairman.

We concur in this report: Paul Land, Oliver Hall, J. G. Megler, Joseph Hill, David Miller, W. E. Runner.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 5, entitled "An act providing for the constitutional amendment conferring power upon the legislature to exempt certain property from taxation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

HAROLD PRESTON, Chairman.

We concur in this report: Paul Land, Oliver Hall, J. G. Megler, Joseph Hill, David Miller, W. E. Runner.

On motion of Senator Land the Senate adjourned at 4:15 P. M. until 10 A. M. tomorrow.

DUDLEY ESHELMAN,

Secretary of the Senate.

THURSTON DANIELS,

President of the Senate.

THIRTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 16, 1899, }
11 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baker and Wooding, who were excused.

The journal of yesterday was read and approved.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Concurrent Resolution and Memorial of the Senate and House of Representatives of the State of North Dakota, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that, inasmuch as the subject matter of the resolution

has been acted on favorably by the Senate, that the resolution lie on the table.

Respectfully submitted,

L. B. ANDREWS, Chairman.

I concur in this report: J. C. Van Patten.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred House bill No. 6, entitled "An act to provide for the admission of Indian war veterans to the Soldiers' Home," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, Thos. J. Miller.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, a portion of your Committee on Judiciary, to whom was referred House bill No. 319, beg leave to recommend that the act entitled "An act to provide for the location and erection of the capitol building, and providing an appropriation therefor, and declaring an emergency," having become a law by limitation on the 23d day of March, 1893, be re-enacted with such changes and modifications as will conform to existing circumstances to the end that a capitol commission shall be provided for and named in said bill, and that said capitol commission shall proceed to construct said building according to the original plans and specifications, and upon the foundation erected heretofore, and a committee of two be appointed by the president of the Senate to draft said bill, and report to this Senate within two days.

Respectfully submitted:

W. H. PLUMMER, Chairman.

We concur in this report: John I. Yeend, John H. Carper.

The report was placed on general file.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

A member of your Committee on Judiciary, to whom was referred House bill No. 319, entitled "An act for expediting the completion of the state capitol building, and for the reduction of the costs thereof by changing the original plans, providing for payment of interest and making an appropriation," beg leave to report the same back to the Senate, and suggest the following amendments (without further recommendation), to-wit:

Amend printed bill, Section 4, line 1, insert after the word "erection" the words "or purchase." In the same line strike out the word "said" add insert the word "a."

Section 9, line 5, insert after the word "fund," the words "in cash."

Same section, line 6, after the word "fund," insert the words "in cash."

Respectfully submitted.

C. A. MANTZ.

On motion of Senator Plummer, the reports and the bill was placed on general file.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate memorial No. 2, relating to the Merchant Marine, have had the same properly enrolled.

Respectfully submitted.

E. C. KEITH.

I concur in this report: John I. Yend.

The report was adopted.

OLYMPIA, WASH., February 15, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate memorial No. 5, relating to the ceding of a port in Alaska to the Canadian government, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

We concur in this report: E. C. Keith, J. A. Cole, John I. Yeend.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing to whom was referred Senate bill No. 142, entitled "An act for the relief of Horatio Alling, chief clerk in the office of Secretary of State", making an appropriation therefor and declaring an emergency, have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer, A. Hemerich.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of "the Fair" store for supplies for Senate, amounting to \$9.40, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed in full.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer, A. Hemrich.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 138, entitled "An act for the relief of O. M. Hidden," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: A. Hemrich, J. A. Davis, W. H. Plummer.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of I. Harris & Sons for carpet, oil cloth, napier, shades, rugs, towels, tacks, etc., for Senate Chamber, amounting to \$570.33, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that I. Harris & Sons be allowed the sum of \$479.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer, A. Hemrich.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing to whom was recommit-
ted Senate bill No. 96, entitled "An act making appropriations for
certain deficiencies of previous fiscal terms and for other purposes"
have had the same under consideration and we respectfully report the
same back to the Senate with the recommendation that the bill of James
Demaris, line 9, section one of the printed bill be reduced from \$23.95 to
\$22 95 and that as so amended it be allowed, without interest as charged
in the bill. That the bills of Alfred W. Phillips, Frank and William
McCown, Jonathan Pettijohn, Thomas B. Romaine, Frank M. Shelton,
John Sanders and Elizabeth Romaine, section 1, lines 7, 8, 10, 11, 12, 13
and 14, printed bill, be allowed without interest as charged in the bill.
That the bills of E. G. Kreider, Herbert Bashford and Benj. M. Price,
section 1, lines 15, 16 and 17, printed bill, be allowed in full with inter-
est as charged in the bill.

That under subdivision "traveling expenses of superior judges" line
19, section 1, of printed bill be amended to read as follows: "Sundry
claims for fiscal period ending March 31st, 1899 and previous fiscal pe-
riods \$600." That line 20, same section and subdivision be stricken and
the following substituted: "For judges pro tem for fiscal periods prior
to March 31, 1897, \$350," and that the several amounts under this subdi-
vision and section as so amended be allowed without interest as charged
in the bill.

That under subdivision "county cost bills in convictions for felonies"
line 24, section 1, printed bill, be amended to read as follows: "What-
com county \$1937.80, interest \$276.64, total \$2214.44" and that the several
amounts under this subdivision as so amended be allowed in full with
interest as charged in the bill.

That under subdivision "miscellaneous claims" line 32, section 1
printed bill in the matter of the bill of Thurston county \$600 for rent we
recommend that a special committee be appointed to interview the
Thurston county officials in relation thereto. That line 42 same subdi-
vision and section be stricken and that the several amounts under sub-
division "miscellaneous claims" as so amended be allowed with interest
as charged in the bill and that as so amended the bill do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer, A. Hemrich.

The report was placed on general file.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 71, entitled "An act providing for the payment of various claims against the State of Washington, as evidenced by certificates of indebtedness, making appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be referred to the Committee on Claims and Auditing.

Respectfully submitted, AUGUSTUS HIGH, Chairman.

We concur in this report: Paul Land, C. F. Clapp, Dan Paul, W. E. Runner, Harold Preston, John H. Carper, Ed S. Hamilton.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 156, entitled "An act appropriating the sum of two hundred and eight-five dollars for incidental expenses for the State Board of Health," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Committee on Claims and Auditing.

Respectfully submitted, AUGUSTUS HIGH, Chairman.

We concur in this report: Paul Land, C. F. Clapp, Dan Paul, W. E. Runner, Harold Preston, John H. Carper, Ed S. Hamilton.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 320, entitled "An act providing for the construction, repair, improvement and equipment of buildings for the University of Washington, the Agricultural College and School of Science and the State Penitentiary, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted, AUGUSTUS HIGH, Chairman.

We concur in this report: John H. Carper, Ed S. Hamilton, Paul Land, C. F. Clapp, Dan Paul, W. E. Runner, Harold Preston.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 119, entitled "An act appropriating money for clerical assistance, expressage, postage and incidentals in the office of the Superintendent of Public Instruction," have had the same under consideration,

and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report: John H. Carper, Ed S. Hamilton, Paul Land, C. F. Clapp, Dan Paul, W. E. Runner, Harold Preston.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Conference, to whom was referred Senate bill No. 42, entitled "An act making appropriation for equipment and maintenance of the State Normal School at New Whatcom, and for the maintenance of the State Normal School at Ellensburg, and for the maintenance of the State Normal School at Cheney for the two years ending March 31, 1901, have met a like committee from the House, but have thus far been unable to come to an agreement.

Your committee respectfully requests that they be given the powers of a free conference committee in which case they think they can come to an amicable understanding.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: Herman D. Crow.

On motion of Senator Megler the report of the committee was adopted, and its request granted.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 23, entitled "An act making an appropriation to the State Penitentiary."

Also, Senate bill No. 24, entitled "An act making an appropriation from the revolving fund of the State Penitentiary to the maintenance fund of the State Penitentiary.

Also, Senate concurrent resolution No. 7, relating to the election of United States senators by the direct vote of the people.

And the same are herewith transmitted.

The House has passed House bill No. 79, entitled "An act establishing the State Museum at the University of Washington.

Also, House bill No. 129, entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations,' etc.

Also, House bill No. 145, entitled "An act in regard to the dismissing of appeals by the Supreme Court.

Also, House bill No. 149, entitled "An act making it unlawful to injure or damage in any way the public lands of the State of Washington and prescribing the punishment therefor."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

Senate bill No. 49, by Senator Van Patten, "An act to amend section 3418 of article 2, relating to the care of swine unlawfully at large, Ballinger's Annotated Codes and Statutes of Washington (first volume Hill's Code, section 2490)," was read the third time by the secretary.

On motion of Senator Davis, section 1 was amended by striking "article" in line 2 and inserting "act" in lieu thereof, and striking "three" in line 5 and inserting "ten" in lieu thereof.

On motion of Senator Van Patten, section 1 was amended by inserting after "and" in line 2, "shall immediately."

On motion of Senator Warburton, the vote by which the word "three" in line 5, section 1, was stricken out, and "ten" inserted in lieu thereof, was reconsidered.

The question recurring on the motion to adopt the amendment, was declared lost.

Senator Mantz moved to amend section 1 by striking all after the word "peace" in line 6 of the printed bill, and insert in lieu thereof "and such person who sustains damages as aforesaid shall have a lien upon said swine for the damage sustained by the said swine and for keeping same: *Provided*, That if the owner of such swine is unknown, the notice required in this act shall be published for two weeks in a newspaper published in the county."

The motion prevailed.

On motion of Senator Mantz, the bill was referred to the Committee on Engrossed Bills.

Senator Runner moved the adoption of the amendments to Senate Rules Nos. 11 and 12.

The following Senators demanded the roll call on the adoption of the amendments to Rules 11 and 12: Senators McReavy, Schofield, Warburton, Hamilton, Yeend, and Runner — 6.

The motion was lost by the following vote: Yeas 20, nays 12, absent or not voting 2.

Those voting yea were: Senators Andrews, Baum, Carper, Cole, Crow, Davis, Hall, Hammer, Hemrich, Keith, Land, Mantz, Miller David, Miller T. J., Preston, Reinhart, Runner, Van Patten, Wilshire, and Yeend — 20.

Those voting nay were: Senators Biggs, Clapp, Hamilton, High, Hill, LeCrone, McReavy, Megler, Paul, Plummer, Schofield, and Warburton — 12.

Absent or not voting: Senators Baker and Wooding — 2.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 175, by Senator Reinhart (by request): An act to create a special fund for compensation of owners of domestic animals killed or injured by dogs.

The bill was read the first time, and on motion of Senator Reinhart the rules were suspended, bill read the second time and referred to the Committee on Agriculture.

Senate bill 176, by Senator Yeend: An act providing for the conveyance and transportation of convicts from the place of conviction to the State Penitentiary and repealing sections 1176, 1177, 1178, 1179 and 1180 of volume 1, Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time, and on motion of Senator Yeend the rules were suspended, the bill read the second time by title and referred to Committee on Judiciary.

Senate bill No. 177, by Senator LeCrone: An act providing for the issuing of preferred stock and bonds by corporations.

The bill was read the first time, and on motion of Senator LeCrone the rules were suspended, the bill read the second time by title and referred to Committee on Corporations other than Municipal.

Senate bill No. 178, by Senator Hemrich: An act requiring horseshoers to pass civil service examination.

The bill was read the first time by title, and on motion of Senator Hemrich the rules were suspended, the bill read the second time by title and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 179 by Senator Wilshire: An act to provide for the assessment of property of railroad companies for the purpose of taxation in the State of Washington, and declaring an emergency.

The bill was read the first time, and on motion of Senator Wilshire the rules were suspended, the bill read the second time by title and referred to Committee on Revenue and Taxation.

Senate bill No. 180, by Senator Plummer: An act to provide for the collection, exhibition and maintenance of the products of the State of Washington, and for the publication of statements, pamphlets and circulars reciting the resources of the State of

Washington for free distribution at the Paris Universal Exposition of 1900.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 181, by Senator Preston: An act to amend section 2 of an act to amend section 649 of Vol. 2 of the Statutes of Washington, compiled and annotated by W. L. Hill, relating to procedure in eminent domain proceedings.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, and the bill read the second time and referred to the Committee on Judiciary.

Senate bill No. 182, by Senator Land: An act to provide for the repair of the Snoqualmie pass wagon road, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 183, by Senator Yeend: An act requiring that all sentences of less than one year imposed for any crime shall be served in the county jail.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

The following message was received from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate joint memorial No. 2; also Senate memorial No. 5.

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

Senator T. J. Miller introduced the following resolution:

Resolved, That the secretary of the Senate be instructed to draw an order on the State Auditor to the amount of one hundred and fifty dollars each in favor of Senators John McReavy, W. E. Runner, J. A. Davis, John I. Yeend, F. M. Baum, S. Warburton and Augustus High, members of the special committee appointed by the fifth Senate to investigate the salmon fishing business of the State of Washington.

On motion of Senator T. J. Miller the resolution was adopted.

On motion of Senator Warburton, the Senate adjourned at 12 M. until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baker and Wooding, who were excused.

Senate bill No. 15, by Senator Cole, "An act to amend section 1 of the Penal Code of the State of Washington, as compiled by W. Lair Hill, defining the crime of murder in the first degree and fixing the punishment therefor, and declaring an emergency," was read the third time by the secretary.

On motion of Senator Cole, the bill was placed on its final passage, and passed by the following vote: Yeas 24, nays 6, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Miller T. J., Paul, Plummer, Preston, Schofield, Wilshire, and Yeend — 24.

Those voting nay were: Senators Davis, Mantz, Megler, Miller David, Reinhart, and Warburton — 6.

Absent or not voting: Senators Baker, Runner, Van Patten, and Wooding — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator T. J. Miller moved to reconsider the vote by which Senate bill No. 50 failed to pass.

The motion prevailed by the following vote: Yeas 28, nays 1, absent or not voting 5.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Yeend — 28.

Senator Warburton voted nay.

Absent or not voting: Senators Baker, Biggs, Crow, High, and Wooding — 5.

Senator Preston moved to amend section 30 to read as follows:

"The prior lessee may, if he so desires, exercise the preference right to re-lease at the highest rate bid: *Provided, however,* that the owner of improvements placed on school lands held under lease from the state when the terms of such lease have been fully complied with shall have preference right to re-lease the same, or any part thereof, for a period of thirty days from the expiration of said lease in the following manner: The owner of such improvements shall make application in writing for the re-lease of such lands, certifying under oath as to the value and character of the improvements placed thereon, setting forth the amount bid for the re-lease of the same, which bid shall be considered by the Commissioner of Public Lands, and if it be deemed sufficient and to the best interests of the state to accept such bid, the said Commissioner shall proceed, upon the receipt of the first year's rental, to issue a new lease to such bidder in accordance with said bid as provided in section 23 of this act: *And provided further,* That the appraisement of all leased land shall be made once every five years or oftener if deemed necessary."

The motion prevailed.

On motion of Senator Preston the bill was recommitted.

Senator Hamilton offered the following resolution:

Resolved, That the sergeant-at-arms be, and he is hereby directed to procure a suitable journal in which to keep the records of the Senate Committee on Railroads and Transportation, and other regular committees, if requested.

On motion of Senator Hamilton the resolution was adopted.

Senator Hamilton was excused until tomorrow.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

The speaker of the house has signed Senate bill No. 23 and Senate bill No. 24.

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 49, entitled "An act to amend section 2490 volume 1 Hill's Annotated Statutes and Codes of Washington, relating to swine unlawfully at large," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: Harold Preston, C. A. Mantz.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 114, entitled "An act providing an additional judge for the Superior court of the State of Washington, in and for Spokane county, and for filling such office, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill attached be substituted for Senate bill No. 114, and that said substituted bill do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, John I. Yeend, Herman D. Crow, Geo. D. Schofield, F. M. Baum, S. Warburton, John H. Carper.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 172, entitled "An act defining who may solemnize marriages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report: John I. Yeend, L. B. Andrews.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 188, entitled "An act providing for the prevention of persons from being caught in railroad frogs, switches or guard rails, and making railroad companies liable for damages from failure to comply therewith," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend the title so as to read "An act requiring persons, railroad companies or corporations to so adjust, fill, block and securely guard the frogs, switches and guard rails on their roads as to protect and prevent injury to employes and other persons, and providing a penalty for the violation thereof."

In line 1, section 1 of the printed bill, strike out the comma after the word "companies." In the same line after the word "owning" strike out the word "and" and insert the word "or" in lieu thereof.

In line 2 strike out the last word, "June," and insert the word "October."

In line 3 strike out the last word, "in."

In line 4 strike out the words "all yards, divisional and terminal stations, so," and also strike out the word "thoroughly."

In line 1, section 2, strike the word "all" and insert the words "any person or persons;" after the word "companies" insert the words "or corporations;" after the word "owning" strike "and" and insert "or;" strike the words "railroads or portions of" and insert "a railroad or."

In line 3, section 2, after the word "in" insert the words "sections 137, 138 and 139 of Volume 2 of Hill's Annotated Codes and Statutes of Washington, being."

In line 4, section 2, after the word "Ballinger's" strike out the words "Code, 2d Volume" and insert the words "Annotated Codes and Statutes of Washington."

Amend Sec. 3 to read as follows:

"SEC. 3. Any person or persons, railroad companies or corporations, owning or operating any railroad in this state, failing to comply with the provisions of this act within the time limited, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than five hundred dollars nor more than two thousand dollars."

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: Geo. D. Schofield, David Miller, C. F. Clapp, Dan Paul, Ed S. Hamilton.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Agriculture to whom was referred House bill No. 296 entitled "An act to amend sections 2, 3, 12, 13 and 15 of an act entitled "An act for the protection of game animals and birds and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, defining their duties, fixing their compensation and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington," approved March 11, 1897, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows: section 1, line 8, printed bill, strike "first day of January" insert in lieu thereof "fifteenth day of December." Same line strike "first day of October" insert in lieu thereof "fifteenth day of September." Same line strike the word "same" insert in lieu thereof "following." Section 1, line 10, strike "hereafter" insert in lieu thereof "hereinafter." Section 4, line 9, engrossed bill after the words "or any part" insert "of the meat." Section 5, engrossed bill, strike the word "county" before the words "of Kittitas" in 3rd proviso, insert in lieu "counties." Same line after the word Kittitas insert "and Klickitat."

And that as so amended the bill do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: J. C. Van Patten, Joseph Hill, Augustus High.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 45, entitled "An act to provide for the better

protection of railway switches," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, for the reason that House bill 188 on the same subject has been recommended for passage.

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: Geo. D. Schofield, David Miller, C. F. Clapp, Dan Paul, Ed. P. Hamilton, Thos. J. Miller.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 23, entitled "An act making appropriation to the State Penitentiary," have had the same properly enrolled.

Respectfully submitted.

J. A. COLE.

I concur in this report: John I. Yeend.

The president signed the above Senate bill No. 23.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 24, entitled "An act making appropriation from the revolving fund of the State Penitentiary to the maintenance fund of the State Penitentiary," have had the same properly enrolled.

Respectfully submitted.

J. A. COLE.

I concur in this report: John I. Yeend.

The president signed the above Senate bill No. 24.

THIRD READING OF BILLS.

Senate bill No. 49, by Senator Van Patten, to amend sec. 3418 of article 2, relating to the care of swine unlawfully at large. (Ballingier's Annotated Codes and Statutes of Washington; first volume Hill's Code, section 2490), was placed on its final passage, and passed by the following vote: Yeas 27, nays 1, absent or not voting 6.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hammer, Hemrich, High, Keith, Land, LeCrone, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Yeend—27.

Senator Megler voted nay.

Those absent or not voting were: Senators Baker, Clapp, Hamilton, Hill, Runner, and Wooding—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 108, by Committee on Penal and Reformatory Institutions: To authorize and regulate the paroling of convicts and declaring an emergency, was read by the secretary.

Senator Yeend moved to amend section 3. by adding the following :

“If, however, any convict while on parole, shall go beyond the limits of the state, he shall be held to be an escaped convict and treated as such and retaken.”

Senator Schofield moved an amendment by inserting after the word “state” the words “without written permission from the Governor.”

The motion as amended prevailed.

On motion of Senator Hall, section 1 was amended by inserting after “sentence” in line 5, “or for the crime of murder.”

On motion of Senator Yeend, the bill was referred to the Engrossing Committee.

Senate bill No. 70, by Senator Wilshire, an act to amend an act entitled “An act in relation to recognizances, stipulations, bonds and undertakings,” approved March 17, 1897, and declaring an emergency, was read the third time by the secretary.

Senator Wilshire moved to amend section 1, by striking “may in its discretion” and insert in lieu thereof “shall if such bond be approved.”

The motion was lost.

Senator Wilshire moved to amend section 1, by striking “such” after the word “bond” in line 10, and insert in lieu thereof “official.”

The motion prevailed.

On motion of Senator Wilshire, section 1 was amended by inserting “when the same is executed by such surety corporation,” preceding the word “not” in line 12 of the printed bill.

On motion of Senator Preston, section 1 was amended by striking “committee” in line 3.

Senator Preston moved to amend section 1 by adding the following :

“*Provided*, That this act shall not apply to the current official term of any public officer.”

Senator Schofield moved to amend the motion by adding the following :

“ Who has heretofore given a surety bond for the discharge of his duties during his present term of office.”

The motion as amended prevailed.

On motion of Senator Plummer, the bill was referred to the Engrossing Committee.

The president called Senator Land to preside.

Senator Schofield moved to reconsider the vote by which House bill No. 49 passed.

Senator Plummer moved to lay on the table.

The motion prevailed.

The president resumed the chair.

On motion of Senator Plummer, the Senate adjourned at 4 P. M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February, 17, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baum, Preston, Schofield, and Warburton, who were excused.

The journal of yesterday was read and approved.

Senator High was excused until Monday.

Senator Hemrich introduced the following resolution :

WHEREAS, The position of the journal clerks is one of importance and responsibility, is one of constant labor night and day, Sundays and holidays not excepted, therefore be it

Resolved by the Senate, That J. D. Hannegan and Clara Clayton, journal clerks, be allowed \$5.00 per day from the first day of the session.

Senator Hemrich moved the adoption of the resolution.

Senator Crow moved to amend by striking the words “the

first day of the session" and inserting in lieu thereof the words "this date."

The amendment was carried.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics to which was referred Senate bill No. 119, entitled "An act relating to negligence," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: E. Hammer, J. A. Davis, Thos. J. Miller.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics to which was referred Senate Bill No. 152, entitled "An act for the protection of employes, and to prohibit the practice of "blacklisting," and providing penalties for its violation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: E. Hammer, J. A. Davis, Thos. J. Miller.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 127, entitled "An act repealing Chapter XXXV of the Session Laws of Washington for the year 1897; being an act entitled "An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the State," and also providing for the compilation of forms for all public blanks, and providing for the procuring thereof," have had the same under consideration, and we respectfully report same back to the Senate, with the recommendation that it be indefinitely postponed, for the reason that the same is substantially included in House bill No. 241, which is recommended for passage.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: S. D. Reinhart, S. M. LeCrone, J. C. Van Patten.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

Your Committee on Judiciary to whom was referred Senate bill No. 46, entitled "An act to provide for compensation allowed to guardians

of the person and estate of idiots, insane, and all persons who are incapable of conducting their own affairs," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend the title so as to read as follows, "An act providing for compensation of guardians of the person and estate of idiots, insane, and all persons who are incapable of conducting their own affairs, and declaring an emergency."

Amend section 1, line 4, by striking out the following words, "on the rendering of any account of his guardianship."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: C. A. Mantz, John H. Carper, Herman D. Crow.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

Your Judiciary Committee, to whom was referred Senate bill No. 169, entitled "An act providing the manner of collecting the state's 10 per cent. on liquor licenses, and declaring an emergency," respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend section 1, line 1, by striking out the last word of said line in the printed bill, and insert the word "or" after "city."

Amend section 1, line 2, by striking out the word "village."

Amend line 4 by striking out the last word thereof, being "or," and insert the word "or" after the word "city."

In line 5 strike out the word "village."

Add to section 1 the following, "Provided however, That if for any cause the license applied for shall not be issued by any such city or town, the monies paid to the county treasurer as herein provided, shall be refunded."

Strike out section 3, and substitute the following, "An emergency exists, and this act shall take effect immediately."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: C. A. Mantz, John H. Carper, Herman D. Crow, John I. Yeend.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 36, entitled "An act providing, that in counties having a population less than ten thousand, the sheriff shall be *ex officio* the assessor of such counties, and providing for his compensation," have had the same under consideration and we respectfully report same back to the Senate and recommend the following amendments:

Amend section 1 so as to read as follows: "That in each county in this state having a population of less than eight thousand (8,000), the sheriff shall be *ex officio* assessor, and shall perform the duties of assessor."

Section 2 be amended to read as follows: "That in addition to the compensation now provided by law for every such sheriff he shall receive the sum of three hundred dollars (300) per annum as compensation for performing the duties of assessor. *Provided, however,* That this act shall not be construed as increasing the salary of any sheriff elected and qualified prior to the taking effect of this act."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: C. A. Mantz, John H. Carper, Herman D. Crow, John I. Yeend.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 79, entitled "An act to preserve from pollution the water supplied to the inhabitants of cities and towns in the State of Washington; to declare what are nuisances in the vicinity of the source of such water supply, providing for the abatement thereof, and for the punishment of the violations of this act," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking out section 6, and that the bill as amended do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: David Miller, W. W. Wilshire, Herman D. Crow.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to which was referred House bill No. 100, entitled "An act authorizing municipal corporations to provide for the acceptance of warrants upon local improvement funds in satisfaction of assessments for local improvements," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be amended as follows: By inserting "or resolution" after the word "ordinance" and before "the" in line 1, section 1, printed bill.

Insert words "held by such corporations" after word "purchase" before "in," line 2, section 3, printed bill.

Insert words "or resolution" after word "ordinance," and before "by" in line 2, section 4, printed bill.

And that the bill as amended do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. W. Wilshire, David Miller, Herman D. Crow.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 228, entitled "An act fixing the venue of actions in cities of five

thousand or more inhabitants," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: C. A. Mantz, John H. Carper, Herman D. Crow, John I. Yeend.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 97, entitled, "An act providing for the recording of sheriff's certificates of sale of real property and assignments thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Strike out all of line (2) after the word "certificate" and the first three words in line (3); also, strike out the words "any county," and insert in lieu thereof the word "the."

Insert after the word "office" in line (3) the following words: "of the county in which the property is situated."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: C. A. Mantz, John H. Carper, Herman D. Crow, John I. Yeend.

The report was adopted.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred House bill No. 241, entitled "An act to repeal an act entitled 'An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state,'" approved March 6, 1897, found on pages 47 and 48 of the Laws of 1897, and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that section 11 be stricken, and that sections 2, 3, 4, 5 and 6 of Senate bill No. 127 be added, and that the bill do pass as amended.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: S. M. LeCrone, J. C. Van Patten, S. D. Reinhart.

The report was adopted.

OLYMPIA, February 17, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 108, entitled "An act to authorize and regulate the paroling of convicts, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted,

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 40, entitled "An act to amend an act entitled 'An act authorizing cities, towns and counties to purchase, construct and maintain ferries,'" approved March 20, 1895, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted,

THOS. J. MILLER, Chairman.

We concur in this report: W. W. Wilshire, David Miller, Herman D. Crow.

The report was adopted.

OLYMPIA, Feb. 16, 1899.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate bill No. 101, entitled "An act relating to drugs and medicines, licensing of persons to compound, dispense, buy and sell the same in the State of Washington, defining crimes and misdemeanors, and prescribing penalties in cases of violation thereof, repealing chapter 153 of the Session Laws of 1891 of Washington, etc.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended, as follows:

By striking out "thereof" and in lieu thereof inserting "of the provisions of this act," line 3 of title.

In line 4 of title insert the words "an act" after "being" and before entitled.

In line 7 of title insert words "an act" after "being" and before "entitled."

Amend Sec. 2 by striking word "or," line 2 thereof, and adding words "or licensed physicians" at end of section 2.

Amend Sec. 3 by striking all after word "have," line 1, and before word "obtained," in line 3 thereof.

Amend Sec. 8 by adding words "for transaction of all business that may properly come before the board."

Amend line 1, Sec. 9, by striking word "or."

Insert "or physicians" after "assistant pharmacists," line 1, and before "under," line 2.

Strike "heretofore existing in" after "laws" and before "this" and in lieu thereof insert "of," line 2.

Strike the words "the same" after "to" and before "rights" and insert in lieu thereof "all," line 2.

Add after "act," line 3, Sec. 9, "*Provided*, That physicians to be entitled to the benefits of this act must make application for registration hereunder within 30 days from the taking effect of this act."

Amend Sec. 10 by inserting "under Sec. 13," line 7, after "privileges" and before "of," and by striking out "under section 13 herein," line 8, after "registration" and before "and."

Amend Sec. 16 by striking the word "of," line 2, after "ointment" and before "preparation," and insert in lieu thereof the word "or."

Insert in line 9 the words "as herein provided" after "do" and before "shall."

Add at end of section after "offense," line 11, "and each sale or offer for sale shall constitute a separate offense."

Respectfully submitted.

D. E. BIGGS, Chairman.

We concur in this report: John H. Carper, S. M. LeCrone.

The report was adopted.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 17, 1899.

MR. PRESIDENT:

The House has concurred in the amendments recommended by the Conference Committee on Senate bill No. 42, by a vote of 51 yeas and 14 nays.

The House has passed House bill No. 160, entitled, "An act to amend an act entitled "An act in relation to recognizances, stipulations, bonds and undertakings. Approved March 17, 1879 and declaring an emergency.

Also House bill 196, entitled, "An act to prevent the sale, imitation or adulteration of honey, and to provide a punishment therefor.

Also House bill No. 197, entitled "An act to amend section 1, of an act entitled, "An act in relation to legal holidays. Approved February 25, 1891.

Also house bill No. 246, entitled, "An act punishing injury to electric wires, etc.

Also House bill No. 347, entitled, "An act to regulate, control and license insurance companies, corporations and associations and their agents prescribing license fees and imposing penalties and declaring an emergency.

Also House Joint Resolution No. 4, relating to coal on Pacific Coast and asking the secretary of the Navy for certain statistics.

And the same are herewith transmitted.

The House has passed Senate concurrent resolution, No. 13, relating to the appointment of a committee to devise a bill or bills for the investment of the permanent school fund.

Mr. Speaker has appointed on the part of the House, Mr. Bedford, Mr. Mount, Mr. Frye and Mr. McDonald as members of said committee.

The resolution is herewith transmitted

W. F. DILLON, Chief Clerk.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Free Conference Committee, beg leave to report that we have agreed upon the following amounts to be allowed to the different schools as per Senate bill No. 42:

WHATCOM NORMAL SCHOOL.

Heating and ventilating building.....	\$4,000
For equipment and supplies, chemical laboratory.....	1,000
For furniture.....	4,000
For museum and natural history room.....	500
For library.....	1,500
Stationery and books	2,000
Maintenance.....	17,500
Total.....	\$30,500

ELLENSBURG NORMAL SCHOOL.

For maintenance.....	\$30,000
For repairs.....	1,500
Text books and stationery.....	1,000
Furniture.....	2,000
Equipments	2,000
Library and reading room.....	1,500
Incidentals	500
Total.....	\$38,500

CHENEY NORMAL SCHOOL.

For maintenance.....	\$25,000
For books and stationery.....	400
For repairs.....	1,000
Total.....	\$26,400

We further recommend that section 2 of the original Senate bill be reinstated in the bill.

J. G. MEGLER,
D. E. BIGGS,
HERMAN D. CROW,
Senate Committee.

IRA P. ENGLEHART,
F. P. WITTER,
S. A. CALLVERT,
House Committee.

The report of the committee was concurred in by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Wilshire, and Yeend—27.

Nays: None.

Those absent or not voting were: Senators Baum, Davis, High, Preston, Schofield, Warburton, and Wooding—7.

On motion of Senator Megler, the secretary was instructed to

notify the House that the Senate concurred in the report of the committee.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 16, 1899.

To the Honorable President of the Senate, Senate Chamber, Olympia, Washington:

SIR—I have the honor to inform you that the Governor has this day approved the following bills:

Senate bill No. 23, entitled: "An act making appropriation to the State Penitentiary."

Senate bill No. 24, entitled: "An act making appropriation from the revolving fund of the State Penitentiary to the maintenance fund of the State Penitentiary."

Yours Respectfully,

J. H. PELLETIER,
Governor's Private Secretary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, February 16, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Washington:

SIR—I have the honor to inform you that the Governor has this day approved the following Senate bills:

No. 2, "An act appropriating money for clerical and engineering assistance and cost of advertising the sale of tide lands and timber on state lands, in the office of the Commissioner of Public Lands."

No. 12, "An act appropriating money for postage and incidentals, and for clerical assistance in the office of the Secretary of State."

Yours respectfully, J. H. PELLETIER,
Governor's Private Secretary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, February 16, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Washington:

SIR—I have the honor to inform you that the Governor has this day approved the following:

Senate memorial No. 5, relating to the ceding of a port in Alaska to the Canadian government.

Senate joint memorial No. 2, relating to the merchant marine.

Yours respectfully, J. H. PELLETIER,
Governor's Private Secretary.

Senator Preston introduced Senate concurrent resolution No. 14, as follows:

Resolved by the Senate the House concurring, That whereas, the state has not been and is not now profiting in any way by the labor in the

state penitentiary, or at the reform school or by the labor at the insane asylums capable of being utilized, and

WHEREAS, in other states the labor in these institutions is utilized so as in many cases to make these institutions more or less self sustaining, and

WHEREAS, the cost of printing public documents, reports, blanks and school books amounting to probably \$100,000 per year could be saved to the state by having this printing done at the penitentiary besides the lessening of the cost of school books much below their present price, by a small appropriation for a plant being made, and

WHEREAS, the state has fifteen hundred (1500) people to clothe at the various penal and charitable institutions, nearly all of which clothing and most of the shoes have to be purchased, but which could be made at the reform school with great saving to the state, and

WHEREAS, several hundred patients at the insane asylums who are well able to work and better off by so doing certain classes of labor adapted to them, such as farming, at which work said patients could raise large amounts of food for the several institutions to which they belong, as well as other state institutions; now therefore be it

Resolved, That the committees in the House and in the Senate having charge of these institutions shall meet together and request the Governor and members of the Board of Audit and Control to meet with them and that said committees investigate the feasibility, practicability and economic advantages of the suggestions herein made or any others that may occur to them, and that they report their conclusions in the premises to their various houses together with their recommendations, and they are further requested to present with their report any bill or bills which they find advantageous to the state.

On motion of Senator Wilshire the resolution was adopted.

Senate memorial No. 6, by Senator Andrews, relating to American shipping, was read the first time, and on motion of Senator Andrews, the rules were suspended, the memorial read the second time by title, and referred to the Committee on Commerce.

SENATE CHAMBER,

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 7, relating to the election of United States senators by the direct vote of the people, have had the same properly enrolled.

Respectfully submitted,

J. A. COLE.

I concur in this report: John I. Yeend.

The president signed Senate concurrent resolution No. 7.

Senator Megler moved to amend Senate rule 26, so as to read as follows:

RULE 26. No bill shall be considered in the Senate unless the time of its introduction shall have been at least ten days before the final adjournment of the Senate, unless the Senate shall otherwise direct by a vote of two-thirds of all the members elected thereto, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

The motion prevailed by the unanimous vote of the Senate.

To the Honorable Legislature of the State of Washington:

The undersigned residents of Whitman county, State of Washington, respectfully and urgently protest against any legislation which gives the mortgagee the right of possession during the period allowed for redemption after foreclosure and sale. And any law authorizing deficiency judgments. Signed by R. M. Mudgett and seventy-five others.

On motion of Senator Hall the petition was referred to the Judiciary Committee.

To the Honorable Legislature of the State of Washington:

The undersigned residents of Whitman county, State of Washington, respectfully and urgently protest against any legislation which gives the mortgagee the right of possession during the period allowed for redemption after foreclosure and sale. And any law authorizing deficiency judgments.

Signed by Joseph G. Vaughn and 100 others.

On motion of Senator Runner the petition was referred to the Judiciary Committee.

INTRODUCTION AND READING OF BILLS.

House bill No. 79, by Mr. Gleason: An act establishing the State Museum of the University of Washington.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to Committee on Educational Institutions.

House bill No. 145, by Mr. Palmer: An act in regard to the dismissing of appeals by the Supreme Court.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House bill No. 149, by Mr. Conway: An act making it unlawful to injure or damage in any way the the public lands of the State of Washington, and prescribing the punishment therefor.

The bill was read the first time; and, on motion of Senator

T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Grante'd, School and Tide Lands.

House bill No. 160, by Mr. Falknor: An act to amend an act entitled "An act in relation to recognizances, stipulations, bonds and undertakings," approved March 17th, 1879, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Municipal Corporations.

House bill No. 196, by Mr. White: An act to prevent the sale of imitation or adulteration of honey, and to provide a punishment therefor.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 197, by Mr. Sheller: An act to amend section 1 of an act entitled "An act in relation to legal holidays," approved February 25, 1891.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House bill No. 246, by Mr. Bedford: An act punishing injury to electric wires, etc.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House bill No. 347: An act to regulate, control and license insurance companies, corporations and associations, and their agents, prescribing license fees and imposing penalties, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilshire, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 129, by Mr. Stewart: An act to amend an act entitled "An act to amend an act entitled 'An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and govern-

ment of municipal corporations, and declaring an emergency, approved March 26 (27), 1890,' approved March 9, 1891, and declaring an emergency,' approved March 8, 1893, and declaring an emergency.' "

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 184, by Senator Keith: An act to repeal an act entitled "An act creating a Board of Pilot Commissioners and pilots on the Columbia river and bar," approved November 29, 1871 (Laws 1871, page 96); and to repeal said act so amended by an act approved November 9, 1877 (Laws 1877, on page 287); and further to repeal said acts as amended by an act approved February 2, 1888 (Laws 1887-8, page 171).

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read second time by title, and referred to Committee on Commerce.

Senate bill No. 185, by Senator Davis: An act amending section 69 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation," etc.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title and referred to the Committee on State, Granted, School and Tide Lands.

Senate bill No. 186, by Senator Davis (by request): An act relating to appeals to the superior court from any decision or order of the board of county commissioners, and to repeal existing laws in relation thereto.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, bill read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 187, by Senator Van Patten: An act permit-

ting women to engage in all lawful employments and to sue for and collect compensation in their own name.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 188, by Senator Carper (by request): An act to provide for the official measurement of all milk cans or other vessels used in the shipping and sale of milk, cealing and stamping the capacity thereon, and fixing a penalty for using unsealed milk cans or vessels.

The bill was read the first time; and, on motion of Senator Carper, the rules were suspended, the bill read the second time by title and referred to the Committee on Agriculture.

Senate bill No. 189, by Committee on Labor and Labor Statistics: An act authorizing the Commissioner of Labor to mediate in labor troubles and in his discretion to form boards of arbitration for the settlement of such troubles.

The bill was read the first time; and on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title and ordered placed on general file.

Senate bill No. 190 by Committee on Labor and Labor Statistics: An act to amend sections 2 and 3 of an act entitled: An act creating a bill roll of labor, defining its duties, and appropriating money for its maintenance. Approved March 3, 1897, being Chapter XXIX (Laws 1897, page 34.)

The bill was read the first time; and, on motion of Senator T. J. Miller the rules were suspended, the bill read the second time by title and placed on general file.

Senate bill No. 191, by Senator LeCrone: An act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill read the second time by title and referred to Committee on Medicine, Dentistry, Surgery and Hygiene.

Senate bill No. 192, by Senator LeCrone: An act to prevent the spread of infectious diseases, and to provide for the disinfection of infected premises.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill read the second time

by title, and referred to Committee on Medicine, Dentistry, Surgery and Hygiene.

Senate bill No. 193, by Senator Andrews: An act providing for a state exhibit of the agricultural, horticultural, lumber, mining and other products of the State of Washington, in the middle west, and making an appropriation therefor.

The bill was read the first time and on motion of Senator Andrews the rules were suspended, the bill read the second time by title and referred to committee on appropriation.

Senate bill No. 194, by Senator Plummer: An act to regulate common carriers and to create a railroad and transportation commission for the State of Washington, whereby discrimination and extortion in charges of common carriers may be prevented and reasonable freights and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and common carriers, and afford common carriers and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide measures and rules for its enforcement, etc.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 195, by Senator Paul: An act to provide for the establishment and maintenance of a state road from the town of Bridgeport, in Douglas county, to the town of Republic, in Stevens county, and making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Paul, the rules were suspended, the bill read the second time by title, and referred to Committee on Railroads and Transportation and ordered not printed.

Senate bill No. 196, by Joint Committee on Revenue and Taxation: An act amending an act entitled: "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and repealing sections 100, 101, 106, 110, 113, 115, 117, 118 and 121 thereof, and by adding sections 97½, 119¼, 119½, 119¾, 120¼, 120½ and 120¾ to said act, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and placed on general file.

On motion of Senator Keith, House joint resolution No. 4, relating to coal on the Pacific coast, and asking the Secretary of the Navy for certain statistics, etc., was laid on the table.

The following message was received from the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 17, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 49, entitled "An act creating the county of Ferry."

And the same is transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bill No. 49.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 17, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 70, entitled "An act to amend section 2 of an act entitled 'An act relating to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense and costs of the principal or principals on the same, and repealing an act of the legislature of the State of Washington, entitled 'An act relating to official bonds of state, county, city, town, and precinct officers, etc.''" have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, February 17, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 42, entitled "An act making appropriation for equipment and maintenance of the State Normal School at New Whatcom, and for the maintenance of the State Normal School at Ellensburg, and for the maintenance of the State Normal School at Cheney for the two years ending March 31, 1901," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above Senate bill No. 42.

Senator Plummer moved that the Senate adjourn at 1 P. M. until 11 A. M. Monday.

Senator Hamilton moved to amend that that the Senate adjourn at 12 M. until 2 P. M.

The amendment was lost.

Senators Hamilton, McReavy, Crow, Megler, Davis, and LeCrone demanded the roll call on the original motion, which prevailed by the following vote: Yeas 18, nays 11, absent or not voting 5.

Those voting yea were: Senators Biggs, Clapp, Cole, Davis, Hall, Hammer, Hemrich, Hill, Land, Mantz, Miller David, Miller T. J., Paul, Plummer, Runner, Van Patten, Wilshire, and Yeend — 18.

Those voting nay were: Senators Andrews, Baker, Carper, Crow, Hamilton, Keith, LeCrone, McReavy, Megler, Reinhart, and Wooding — 11.

Absent or not voting: Senators Baum, High, Preston, Schofield, and Warburton — 5.

Senate bill No. 70, by Senator Wilshire, "An act to amend an act entitled 'An act in relation to recognizances, stipulations, bonds and undertakings,' approved March 17, 1897, and declaring an emergency," was placed on its final passage, and passed by the following vote: Yes 22, nays 3, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Van Patten, Wilshire, and Yeend — 22.

Those voting nay were: Senators Land, Mantz, and Runner — 3.

Absent or not voting: Senators Baum, Biggs, High, Hill, Keith, Preston, Schofield, Warburton, and Wooding — 9.

The emergency clause failed to pass by the following vote: Yeas 18, nays 3, absent or not voting 13.

Those voting yea were: Senators Andrews, Baker, Clapp, Crow, Davis, Hall, Hammer, Hemrich, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Van Patten, Warburton, and Yeend — 18.

Those voting nay were: Senators Land, Mantz, and Wilshire — 3.

Absent or not voting: Senators Baum, Biggs, Carper, Cole, Hamilton, High, Hill, Keith, Preston, Runner, Schofield, and Wooding — 13.

Senator Wilshire gave notice that at the proper time he would

move to reconsider the vote by which the emergency clause failed to pass.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Keith moved that the Senate resolve itself into a Committee of the Whole for the consideration of House bill 119, by Mr. White "Appropriating money for clerical assistance, expressage, postage, and incidentals, in the office of the Superintendent of Public Instruction."

The Senate went into Committee of the Whole, Senator Mantz in the chair.

The committee arose and reported the bill back to the Senate, with the recommendation that it do pass.

On motion of Senator Plummer, the report was adopted.

The bill was read the third time, and passed by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Van Patten, Wilshire, Wooding and Yeend—25.

Those voting nay were Senators Andrews and Baker—2.

Absent or not voting were: Senators Baum, High, LeCrone, Preston, Reinhart, Schofield, and Warburton—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Keith the rules were suspended and the bill immediately transmitted to the House.

On motion of Senator Wilshire the vote by which House bill No. 14 failed to pass was reconsidered by the following vote: Yeas 18, nays 10, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Biggs, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Reinhart, Wilshire, and Yeend—18.

Those voting nay were: Senators Carper, Cole, Davis, Hill, Keith, Land, Miller T. J., Runner, Van Patten and Wooding—10.

Absent or not voting were: Senators Baum, High, Plummer, Preston, Schofield, and Warburton—6.

On motion of Senator Crow the bill was placed on the calendar to be taken up on Wednesday.

Senate bill No. 80. by Senator Plummer, providing a method for the payment and settlement of delinquent special street grade assessments, in cities of the first class in the State of Washington, was read the third time and passed by the following vote: Yeas 22, nays 1, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hemrich, Keith, Land, McReavy, Megler, Miller David, Miller T.J., Paul, Plummer, Reinhart, Wilshire, Wooding and Yeend—22.

Senator Mantz voted nay.

Absent or not voting were: Senators Baum, Hall, Hammer, High, Hill, LeCrone, Preston, Runner, Schofield, Van Patten and Warburton—11.

The emergency clause passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Van Patten, Wilshire, Wooding and Yeend—27.

Nays none.

Absent or not voting: Senators Baum, Biggs, High, Preston, Runner, Schofield, and Warburton—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 44, by Senator Andrews: In regard to the dismissing of appeals by the supreme court, providing for the amendment of appellate proceedings and requiring all cases appealed to be decided upon their merits, was placed on its final passage and passed by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, Wilshire and Wooding—26.

Nays none.

Absent or not voting: Senators Baum, Cole, Crow, High, Preston, Schofield, Warburton, and Yeend—8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 93, by Senator Plummer, changing the name of Hangman creek, in Spokane county, to Latah creek was read the third time and passed by the following vote: Yeas 24, nays 3, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Davis, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Runner, Van Patten and Yeend—24.

Those voting nay were: Senators Hall, Plummer, and Wilshire—3.

Those absent or not voting were: Senators Baum, Crow, High, Preston, Schofield, Warburton and Wooding—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, Senate bill No. 73, by Senator Land, to establish a State Board of Inspection for steam boilers and for the examination and licensing of engineers, was indefinitely postponed.

On motion of Senator Runner, the Senate adjourned at 1 o'clock P. M., until 11 o'clock A. M., Monday.

DUDLEY ESHELMAN,
Secretary of the Senate

THURSTON DANIELS,
President of the Senate.

FORTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASH., Monday, February 20, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 11 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Paul, Reinhart and Runner, who were excused.

The journal of Friday was read and approved.

Senator Land moved that the Senate resolve itself into a Committee of the Whole for the consideration of House bill No. 320, providing for the construction of two dormitories for the University of Washington, and making an appropriation therefor; making an appropriation for the Agricultural College and School of Science, for the purpose of rebuilding the boys dormitory, and furnishing the same; and for the construction of a biological laboratory, and furnishing the same; and for the construction of a forge shop and foundry; making an appropriation for the erection of a dining hall and kitchen for the State Penitentiary.

The motion prevailed.

The Senate went into Committee of the Whole, Senator Schofield in the chair.

The Committee arose and reported the bill back with the recommendation that it do pass.

On motion of Senator Hall the report was adopted.

The bill was read the third time and passed by the following vote: Yeas 28, nays 2, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller David, Miller T. J., Plummer, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend — 28.

Those voting nay were: Senators Baker, and Megler — 2.

Absent or not voting: Senators Paul, Reinhart, Runner, and Van Patten.

There being no objection, the title to the bill was ordered to stand as the title to the act.

On motion of Senator Hall the rules were suspended and the bill immediately transmitted to the House.

INTRODUCTION OF BILLS.

Senate bill No. 197, by Senator Preston: An act to amend an act entitled "An act defining a homestead and providing for the manner of the selection of the same, approved March 13th, 1895."

The bill was read the first time; and, on motion of Senator Preston the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 198, by Senator Crow: An act to amend section 3 of an act relating to foreign corporations in the Laws of 1890, at page 288, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Crow the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 199, by Senator Wooding: An act providing for the organization of banks, and prescribing penalty for violations of this act, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wooding the rules were suspended, the bill read the second time by title and referred to the Committee on Military.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, February 18, 1899.

To the Honorable President of the Senate, Senate Chamber, Olympia, Washington:

SIR—I have the honor to inform you that the Governor has this day approved Senate concurrent resolution No. 7, relating to the election of United States senators by the direct vote of the people.

Yours respectfully,

J. H. PELLETIER,
Governor's Private Secretary.

On motion of Senator High the Senate went into a Committee of the Whole for the consideration of Senate bill No. 138, by Senator High, for the relief of O. M. Hidden, and Senate bill No. 96, by Senator Hall, making appropriations for certain deficiencies of previous fiscal terms, and for other purposes.

Senator Yeend in the chair.

The committee arose and reported back to the Senate with the recommendation that Senate bill No. 138 do pass; that Senate bill No. 96 be amended as follows: Strike "1897" in line 19, section 1, of the printed bill and insert in lieu thereof "1899;" reinsert interest in lines 7 to 14 inclusive, section 1 of the printed bill; and that the committee be allowed to sit at another time for the further consideration of Senate bill No. 96.

On motion of Senator Land the report of the committee was adopted.

Senate bill No. 138 was read the third time and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Ham-

mer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire and Yeend—30.

Absent or not voting were: Senators Paul, Reinhart, Runner, and Wooding—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Land, the Senate adjourned at 12:10 P. M., until 2 o'clock P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll all members being present.

OLYMPIA, February 20, 1899.

To the Honorable the Legislature of the State of Washington, Olympia, Washington:

GENTLEMEN.—I am in receipt of the following telegram:

WASHINGTON, D. C. February 20, 1899.

To the Governor of Washington, Olympia, Washington:

General Otis telegraphs Chaplain John R. Thompson, First Washington Volunteers, dies at Manila February nineteenth. Acute dysentery.

SCHWAN, Asst. Adj. Genl.

Reverend John R. Thompson was the president of the last Territorial Council, an honored citizen of the state and a man highly respected by all who ever knew him.

I respectfully suggest that the legislature by appropriate resolutions honor his memory. Respectfully submitted,

J. R. ROGERS, Governor.

On motion of Senator Plummer, the communication was referred to Committee on Memorials with a request to act upon it at once.

Senate bill No. 108, providing for the reformation and employment of state prisoners, was placed on its final passage and passed by the following vote: Yeas 22, nays 7, absent or not voting 5.

Those voting yea were: Senators Baum, Biggs, Carper, Cole, Crow, Hall, Hamilton, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Schofield, Warbuton and Yeend—22.

Those voting nay were: Senators Andrews, Baker, Clapp, Hammer, High, Keith and Van Patten. — 7.

Absent or not voting were: Senators Davis, Paul, Runner, Wilshire and Wooding — 5.

The emergency clause failed to pass by the following vote: Yeas 21, nays 8, absent or not voting 5.

Those voting yea were: Senators Baum, Biggs, Carper, Cole, Crow, Hall, Hamilton, Hemrich, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Schofield, Warburton, and Yeend — 21.

Those voting nay were Senators Baker, Clapp, Hammer, High, Hill, Keith, Preston and Van Patten — 8.

Absent or not voting: Senators Andrews, Davis, Reinhart, Wilshire and Wooding — 5.

Senator Preston gave notice that at the proper time he would move to reconsider the vote by which the emergency clause failed to pass.

There being no objections, the title of the bill was allowed to stand as the title of the act.

The following messages were received from the house:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., February 20, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 320, entitled "An act providing for the construction, repair, improvement and equipment of buildings for the University of Washington, the Agricultural College and School of Science and the State Penitentiary, and making an appropriation therefor," and the same is transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

Per A. C. RUNDLE, Assistant.

The president signed the above House bill No. 320.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

The House has passed House bill No. 354, entitled "An act relating to the sales of property under execution, decrees and orders of sale, and the confirmation of sheriff's sales and redemption therefrom, and repealing an act passed by the Legislature of the State of Washington March 2d, 1890, etc."

Also, House memorial No. 6, relating to light house and military reserves.

The speaker of the House has signed Senate bill No. 42, and Senate concurrent resolution No. 7.

Also House bill No. 170, entitled "An act relating to the powers of county commissioners and declaring an emergency."

Also House bill No. 187, entitled "An act granting a bounty for the encouragement of the production and manufacture of sugar in the State of Washington."

Also House bill No. 73, entitled "An act declaring bicycles to be baggage and providing for the carrying of the same by railroad corporations and steamboats."

Also House bill No. 237, entitled "An act to amend section 4 of chapter 3 of title 1, and section 72 of chapter 2 of title 3, and section 116 of chapter 6 of title 3 of the Code of Public Instruction, approved March 19, 1897, and declaring an emergency."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bills 170, 187, 73, and 237.

THIRD READING OF BILLS.

Senate bill No. 103, by Senator High, governing the instruction of jurors by the judges of superior courts of the State of Washington, was read by the secretary.

Senator Preston moved to amend section 3 by striking "or refuse" in line 2, and insert in lieu thereof "refused."

On motion of Senator Plummer, section 4, was amended by striking all of the line 1, and the first two words of line 2.

On motion of Senator Warburton, section 5 was amended by striking all after the word "jury" in line 1.

Senator Warburton moved to strike all of section 6.

The motion prevailed.

On motion, of Senator Plummer, the bill was indefinitely postponed.

Senate bill No. 136, by Senator Land, providing that before any corporation can reorganize under the laws of this state, all claims and judgments for wages or damages shall be first paid off and satisfied, was read by the secretary, and on motion of Senator Land, it was referred to the Committee on Judiciary.

Senate bill No. 81, by Senator Schofield, to amend sections 3 and 4 of an act entitled "An act relating to county boundaries," approved March 16, 1897, the same being sections 3 and 4 of chapter LXXVI of the Session Laws of 1897, was read by the secretary.

Senator Crow moved to amend section 1 by striking the words beginning with the word "by" in line 3, and ending with the

word "will" in line 4, and insert in lieu thereof the words "so as to."

The motion prevailed.

Senator Crow moved to amend section 2 by striking the words beginning with the word "by" in line 1, and ending with the word "will" in line 3, and insert in lieu thereof the words "so as to."

The motion prevailed.

On motion of Senator Schofield the bill was referred to the Engrossing Committee.

Senate bill No. 155, by Senator Hill, to regulate the manufacture and sale of commercial fertilizers in the State of Washington, was read the third time by the secretary.

Senator Warburton moved to strike section 1.

The motion was lost.

The bill was placed on its final passage and passed by the following vote: Yeas 28, nays 2, absent or not voting 4.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 28.

Those voting nay were: Senators Andrews, and Warburton — 2.

Absent or not voting: Senators Davis, Hemrich, Preston, and Runner — 4.

On motion of Senator Plummer, the bill was amended by adding "and providing a penalty for the violation thereof."

Senator Yeend was excused until tomorrow.

Senator Preston moved that the Senate resolve itself into a committee of the whole for the consideration of Senate bill No. 83, by Senator Preston, to establish an industrial home for the blind, making an appropriation therefor, and declaring an emergency.

The motion prevailed, and the Senate went into committee of the whole, Senator Biggs in the chair.

The committee arose and reported the bill back to the Senate, with the recommendation that the bill do pass with the following amendments:

Amend section 4 by inserting "Lake Samamish" after "at" in line 1, and "King" after the word "in" in same line.

Insert "25" after the word "for" in line 6, section 10.

Strike "biennial" in line 3, section 12, and insert "semi-annual" in lieu thereof.

Amend section 16 by inserting "4,000" preceding the word "to" in line 2, and "10,000" preceding the word "to" in line 4.

Senator Preston moved the adoption of the report.

Senators Hammer, Wooding, Keith, Preston, Wilshire and T. J. Miller demanded the roll call on the adoption of the report.

The report was adopted by the following vote: Yeas 18, nays 11, absent or not voting 5.

Those voting yea were: Senators Baum, Biggs, Crow, Davis, Hall, Hammer, Hemrich, Hill, Keith, Land, Mantz, Miller David, Preston, Reinhart, Schofield, Van Patten, Wilshire, and Wooding—18.

Those voting nay were: Senators Baker, Clapp, Cole, Hamilton, High, LeCrone, McReavy, Megler, Miller T. J., Paul, and Runner—11.

Absent or not voting: Senators Andrews, Carper, Plummer, Warburton, and Yeend—5.

Senator McReavy moved to amend section 4 by striking "Lake Samamish" and "King county" in line 1 and inserting "Union City" and "Mason county" in lieu thereof.

Senator Plummer moved an amendment by striking all of line 1, section 4, after the word "at," and the word "county" in line 2, and inserting after the word "site" in line 2 "of not less than ten acres."

The amendment prevailed.

Senator Clapp moved that the bill be indefinitely postponed.

Senators T. J. Miller, Hammer, Wooding, Runner, Preston and Baum demanded the roll call on the motion, which was lost by the following vote: Yeas 10, nays 22, absent or not voting 2.

Those voting yea were: Senators Baker, Clapp, Crow, Hamilton, High, Keith, LeCrone, Megler, Runner, and Warburton—10.

Those voting nay were: Senators Baum, Biggs, Carper, Cole, Davis, Hall, Hammer, Hemrich, Hill, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Wilshire, and Wooding—22.

Absent or not voting: Senators Andrews and Yeend—2.

On motion of Senator Preston, section 2 was amended by

striking "resident" in line 1 and adding to the section the words "and each of whom shall be a resident of the State of Washington."

On motion of Senator Megler the bill was referred to the Engrossing Committee.

Senator Andrews was excused until tomorrow.

Senator Wilshire moved that when the Senate adjourn it be at 5 P. M.

The motion prevailed.

On motion of Senator Wilshire the vote by which the emergency clause of Senate bill No. 70 failed to pass was reconsidered by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Baum, Biggs, Carper, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Warburton, Wilshire and Wooding—25.

Those voting nay were: Senators Mantz, and Van Patten—2.

Absent or not voting: Senators Andrews, Baker, Clapp, Cole, Hill, Land, and Yeend—7.

The emergency clause then passed by the following vote: Yeas 27, nays 3, absent or not voting 4.

Those voting yea were: Senators Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Warburton, Wilshire and Wooding—27.

Those voting nay were: Senators Land, Mantz, and Van Patten—3.

Absent or not voting were: Senators Andrews, Carper, Runner, and Yeend—4.

Senate bill No. 18, by Senator Biggs: Providing for an amendment to the constitution of the State of Washington, exempting personal property from taxation, was read by the secretary.

On motion of Senator Baum section 1 was amended by striking "householder" in line 10 and inserting in lieu thereof "head of a family."

Senator T. J. Miller moved to amend section 1 by inserting after the word "of" in line 11, the words "not less than."

The motion prevailed.

On motion of Senator Warburton the Senate adjourned at 5 P. M. until 10 A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 21, 1899, }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

The journal of yesterday was read and approved.

The following message was received from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA. February 21, 1899.

MR. PRESIDENT:

The House returns Senate bills Nos. 44 and 15 for proper engrossment
And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The following resolution was offered by Senator Paul:

WHEREAS, The session of the present legislature is drawing to a close, and many bills are pending requiring action, some of which are of greater importance to the state than others, and as it is impossible that all should receive proper attention: therefore, be it

Resolved, That a committee of five be appointed by the president whose duty it shall be to select such bills as are of the greatest importance and advance them on the calendar on and after Monday, February 27th, that they may be acted on promptly.

On motion of Senator Paul, the resolution was adopted.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 81, entitled, "An act to amend sections 3 and 4 of an act

entitled: 'An act relating to county boundaries.' Approved March 16, 1897. The same being sections 3 and 4 of chapter LXXVI of the Session Laws of 1897, have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, February 16, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 107, entitled, "An act appropriating the sum of seven thousand four hundred dollars for the relief of W. E. Boone for balance due for preparing plans and specifications for the main university building of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, A. Hemrich.

The report was adopted.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred the communication of his excellency the Governor in reference to the decease of the Rev. John R. Thompson, chaplain of the 1st regiment Washington Volunteers at Manila on the 19th inst. have had the same under consideration, and we respectfully report the same back to the Senate, with the following preamble and resolutions and recommend their passage:

WHEREAS, Information by cable dispatches has been received from Gen. Otis at Manila, in the Philippines, by his Excellency Governor John R. Rogers, and by him transmitted to the Legislature of the State of Washington, announcing the decease at Manila on the 19th inst.. of Chaplain John R. Thompson, First Washington Volunteers; and

WHEREAS, The many friends and acquaintances of Chaplain Thompson have learned the foregoing facts with deep regret, and desiring to give expression to their sorrow, the members of the Legislature of the State of Washington now in session, hereby resolve:

That in the decease of Rev. John R. Thompson, the State of Washington has lost an old and greatly respected citizen, a friend of all good and worthy objects, morally, religiously and otherwise; the soldiers in the field, a good counsellor and firm friend in all their trials and hardships, and humanity a sincere worker in the field of effort for better life and nobler impulses, not only in this life but in the life to come.

We desire by this resolution to mingle our regrets with all those who, by closer friendship and acquaintance, knew him better.

An enrolled copy of this resolution shall be prepared and transmitted to any of his friends whose whereabouts may be learned.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

On motion of Senator Van Patten the resolution was adopted by a rising vote.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted School and Tide Lands, to whom was referred Senate bill No. 185, entitled "An act amending section 69 of an act entitled 'An act to provide for the selection, survey,

management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, being chapter 89, Session Laws of 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report: J. G. Megler, John H. Carper, Ed S. Hamilton, L. B. Andrews, David Miller, and J. C. Van Patten.

The report was adopted.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 106, entitled "An act relating to foreign corporations and imposing a penalty, and repealing conflicting laws," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass as amended. Strike out the word "failing" in section 1, line 1, and insert in lieu thereof the words "doing business in this state which shall fail." Strike out the figures "1524" in the same section and line. In line 3 strike out the words "five hundred" and insert the words "two hundred and fifty." Strike out section 2 and 3 and insert the following as section 2: "All penalties so recovered shall be paid into the general fund of the State Treasury."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Harold Preston, C. A. Mantz, Herman D. Crow, John I. Yeend, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 183 entitled "An act requiring that all sentences of less than one year, imposed for any crime shall be served in the county jail," have had the same under consideration and we respectfully report the same back to the Senate with the recommendation that the same do pass as amended.

Amend section 1 so as to have it read as follows:

"In every criminal action in which sentence of imprisonment for less than one year is imposed, imprisonment shall be in the county jail of the county where the offense was committed."

Strike out section 2.

Respectfully submitted:

S. WARBURTON, Chairman.

We concur in this report: Harold Preston, C. A. Mantz, Herman D. Crow, John I. Yeend, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We your Committee on Judiciary to whom was referred Senate bill No. 150, entitled "An act to amend sections 1695 and 1696, Vol. 1 of the General Statutes and Codes of the State of Washington, as annotated and arranged by W. Lair Hill, relating to liens," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Amend by substituting the following as Senate bill No. 150:

AN ACT

In relation to landlord's liens.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Every landlord letting a building, room, or other tenement for other than residence purposes, shall have a lien upon the personal property in or on the premises belonging to the tenant for the rent due or to accrue, which lien may be enforced as other liens are enforced by civil action in the Superior court.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, John I. Yeend, Geo. D. Schofield.

The report was adopted and the bill placed on general file and ordered printed.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 65, entitled "An act permitting the investment of surplus county funds, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass as amended.

Amend by substituting the following for Senate bill No. 65:

AN ACT permitting counties, cities or towns to invest surplus sinking funds in bonds or warrants, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Whenever there shall accumulate in any sinking fund of any county, city or town, funds held for the purpose of paying off any indebtedness not matured of any county, city or town, in excess of two thousand dollars (\$2,000), and said money cannot be used for a period of one year for the purposes intended, said money in excess of two thousand dollars (\$2,000) may be invested by the County Commissioners, city or town council, as the case may be, in bonds or warrants of the State of Washington, or bonds of the United States.

SEC. 2. An emergency exists, and this act shall take effect immediately.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: John I. Yeend, Geo. D. Schofield, Harold Preston, C. A. Mantz, Herman D. Crow.

The report was adopted and the bill placed on general file and ordered printed.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 183, entitled "An act to prevent the removal of fixtures or permanent improvements from real estate, which is subject to mortgage or other liens, without the consent of the owner or holder of such liens,

and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass as amended:

Amend section 2, line 1, by inserting the word "willfully" after the words "any person."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Harold Preston, C. A. Mantz, Herman D. Crow, John I. Yeend, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 6, relative to light house and military reserves, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill pass.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

The report was adopted.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 160, entitled "An act to amend an act entitled 'An act in relation to recognizances, stipulations, bonds and undertakings,' approved March 17, 1897 and declaring an emergency, have had the same under consideration and we respectfully report the same back to the Senate, with the recommendation that the title be amended by striking out all after word "entitled" in first line of title in the printed bill and inserting in lieu thereof the following:

"An act relative to recognizances, stipulations, bonds and undertakings and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense and costs of the principal or principals on the same and repealing an act of the legislature of the State of Washington, entitled 'An act relating to official bonds of state, county, city, town and precinct officers,' approved March 20, 1895, and all other inconsistent acts, and declaring an emergency."

In line 1, section 1, strike out all after word "entitled" and in line 2 words "bonds and undertakings, approved March 17, 1897," and in lieu thereof insert the following: "An act to amend section 2 of an act entitled "An act relating to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense and costs of the principal and principals on the same and repealing an act of the legislature of the State of Washington, "entitled "An act relating to official bonds of state, county, city, town and precinct officers," approved March 20, 1895, and all other inconsistent acts, and declaring an emergency, approved March 17, 1897.

Strike word "committee" line 3, section 1, printed bill.

Strike out line 20, section 1, of House engrossed bill, the words "shall if such bond be approved," and in lieu thereof insert words "may, in its discretion."

Line 8, section 1, of printed bill (line 21 engrossed bill), strike word "the" after "of" and before "general" substitute "its." Line 9, section 1, printed bill, strike words, "of the state or of such county, city, town or school districts as the case may be," same being lines 21, 22 and 23 of the engrossed bill. Strike out all of line 2 of the printed bill (being in lines 26, 27, and 28 engrossed bill.)

Insert word "when" as first word of line 12 of printed bill.

Insert word "is" before word "executed" and after word "same" in line 12 of printed bill. In line 12 of printed bill strike words "said cost."

Add to section 1 the following, "provided that this act shall not apply to the current official term of any public officer who has heretofore given a surety company bond for the discharge of his duties during his present term of office." Strike sections 2 and 3 of said House engrossed bill, and substitute for section 2 of said act the following: "Section 2. An emergency is hereby declared to exist and this act shall take effect immediately."

We respectfully report the same back to the Senate, with the recommendation that it pass as amended.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur: S. Warburton, Herman D. Crow, Geo. D. Schofield, W. H. Plummer, W. W. Wilshire, David Miller.

On motion of Senator Wilshire the report was adopted and the bill placed on general file.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 95, entitled "An act relating to the appointment of guardians *ad litem* of insane persons," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass as amended:

Strike out all after the word "state" in line 10, and all of line 11 of the printed bill, and insert the following:

"If no such application be made within the time above limited, application may be made by any party to the action."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Harold Preston, C. A. Mantz, Herman D. Crow, John I. Yeend, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 94, entitled "An act amending an act entitled 'An act providing for the commencement of civil actions,' approved March 15th, 1893. An act

to amend section 7 of an act providing the manner of commencing civil actions in the Superior courts and to bring the same to trial," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass as amended :

Amend sub-division 11, by striking out all of lines 30 and 31, and insert the following in lieu thereof :

"The person having the care, custody or control of such insane person, and also to some member of the family of such insane person of lawful age and discretion, if any."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Harold Preston, C. A. Mantz, Herman D. Crow, John I. Yeend, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 20, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 285 entitled "An act relating to negotiable instruments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

S. WARBURTON, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, John I. Yeend, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation to whom was referred House bill No. 230, entitled "An act to remit delinquent taxes, penalty and interest on charitable institutions," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be amended as follows: Section 1, line one, strike out the word "delinquent" and in place thereof insert the word "unpaid." In the same line strike out "1898" and insert "1895." Section 1 line two of the printed bill strike out "all prior years" and insert the following: "thereafter to and including the year 1898." Add to the end of section 1 the following: "*Provided*, said orphanages, asylums, institutions and hospitals shall, at the time of the assessment and levying of said taxes, have complied with all the requirements of law entitling them to be exempt from such assessment and levy."

Amend the title by striking out the word "delinquent" and insert the word "unpaid." Insert before the word "charitable" the word "certain." And your committee recommends that the bill thus amended, do pass.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: E. C. Keith, Oliver Hall, Paul Land, F. M. Baum, Joseph Hill.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 137, entitled "An act to amend sections 68, 82 and 106 of an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed for the reason that the amendments therein provided for are covered by the joint Committee bill on Revenue and Taxation.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: E. C. Keith, Oliver Hall, Paul Land, F. M. Baum, Joseph Hill.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 168, entitled "An act fixing rates for, and making regulations concerning travel on sleeping cars and providing a penalty for violation of its provisions," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be amended as follows:

Section 1, line 3, strike out the words "the following" and insert in the place thereof the words "two dollars." Same line, change the capital "F" in the word "for" to a small "f." Section 1, line 4, strike out the word "single" and insert in the place thereof the word "double." In the same line strike out all after the word "berth." Same section, strike out all of lines 5 and 6 and all of line 7 except the last word thereof. Strike out all of section 2. Change the number of section 3 to section 2, and your committee recommends that the bill as thus amended do pass.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: E. C. Keith, Oliver Hall, Paul Land, F. M. Baum, Joseph Hill.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 144, entitled "An act amending section 2808 of volume 1 of Hill's Annotated Codes and Statutes of the State of Washington, concerning the regulating, restraining, licensing, or prohibiting the sale of intoxicating liquors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be amended as follows:

Section 1, line 17, strike out all after the word "for," and insert in the place thereof the following: "A period of six months for not less

than one-half of the annual rate of license fixed by the county commissioners.

Your committee recommend that the bill as amended do pass.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: E. C. Keith, Paul Land, F. M. Baum, Joseph Hill.

On motion of Senator Plummer, the report and the original bill was placed on file.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 76, entitled "An act to amend section 82 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington,"" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, for the reason that the amendments therein are covered by the joint committee bill.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: E. C. Keith, Oliver Hall, Paul Land, F. M. Baum, Joseph Hill.

The report and the bill was placed on general file.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 65, entitled "An act relating to the assessment and collection of taxes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: E. C. Keith, Oliver Hall, F. M. Baum, Joseph Hill.

The undersigned does not concur in the majority report, but as a minority report recommends that said bill be indefinitely postponed.

PAUL LAND.

On motion of Senator Runner, the report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

The House has passed House joint resolution No. 19, "Relating to the death of the Rev. John R. Thompson, chaplain of the First Regiment of Washington Volunteers at Manila," and the same is herewith transmitted to the Senate.

W. F. DILLON, Chief Clerk.

Senator T. J. Miller moved that the Senate resolve itself into a Committee of the Whole for the consideration of House bill

No. 319, for expediting the completion of the State Capitol building and for the reduction of the costs thereof by changing the original plans, providing for payment of interest and making an appropriation.

The motion prevailed and the Senate went into Committee of the Whole with Senator Crow in the chair.

The Committee arose and reported progress to the Senate and asked leave to sit again for the further consideration of the bill.

Senator Plummer moved that the Senate adjourn until 2 P. M., at which time they again go into Committee of the Whole for the further consideration of Senate bill No. 319.

The motion prevailed and the Senate adjourned at 12 M., until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll all members being present.

On motion of Senator Plummer the Senate went into Committee of the Whole for the consideration of House bill No. 319, president pro tem, Senator High in the chair.

The president resumed the chair and the following message was received from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 21, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 119, entitled "An act appropriating money for clerical assistance, expressage, postage, and incidentals in the office of the Superintendant of Public instruction."

And the same is transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bill No. 119.

The Senate again went into Committee of the Whole, President *Pro Tem*. Senator High in the chair.

The committee arose and reported the bill back to the Senate, with the recommendation that the bill do pass, with the following amendments:

Amend section 1 by inserting after the word "one," in line 4, the words "if necessary."

Amend section 2 by inserting after the word "buildings," in line 4, the words "*Provided*, That the guarantee of said interest on the part of the state shall not extend beyond fifteen years after the issue of said warrants."

Strike "*however*" in line 4 and insert in lieu thereof the word "*further*."

On motion of Senator Megler, the report was adopted.

On motion of Senator Plummer, the reading of the bill in the committee was considered the third reading, and the bill was placed on its final passage and passed by the following vote: Yeas 31, nays 2, absent or not voting 1.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 31.

Those voting nay were: Senators Mantz and Runner — 2.

Absent or not voting: Senator Biggs — 1.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller, the rules were suspended, and the bill immediately transmitted to the House.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 200, by Senator Preston (by request): An act to amend sections 11, 14, 15, 18, 38, 41, 42, 43, 67, 77 and 86 of "An act to provide for the enrollment of the militia, for the organization, maintenance and discipline of the National Guard of the State of Washington, and for the public defense, and entitled 'The Military Code,' and to repeal existing laws," approved March 19, 1895 (Laws 1895, page 201), and declaring an emergency.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Military.

Senate bill No. 201, by Senator Preston: An act regulating the allotment and expenditure of the road and bridge fund in counties in which there is a city of the first class.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 202, by Senator Preston (by request): An act for the more effectual prevention of cruelty to animals.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 203, by Senator Wooding: An act relating to the straightening and improvement of navigable rivers, not exceeding two miles from the corporate limits of cities, emptying into harbors upon which are incorporated cities with tide lands of the first class, securing the right-of-way therefor, providing for the disposition of reclaimed beds of such rivers, providing for the alteration of waterways already established in such cities, and providing for the payment of such improvement out of the special fund of the city or cities affected, in accordance with the provisions of the act of the Legislature of March 10, 1891, relating to the improvement of harbors and waterways in the State of Washington, and providing funds therefor.

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title, and referred to the Committee on Harbors and Harbor Lines.

Senate bill No. 204, by Senator Van Patten: An act to regulate, license and prohibit the sale of spirituous, fermented, malt and other intoxicating liquors, in accordance with petition or local voting, and to regulate voting thereon.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 205, by Senator Cole: An act relating to the sale of allotted lands by Indians.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Commerce.

Senate bill No. 206, by Senator Baker: An act to enlarge and define the powers of unclassified cities within the State of Washington incorporated by special charter prior to the adoption of the State Constitution.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 207, by Senator Land: An act providing for the auditing and allowance of expense accounts for all state and county officers, and providing for penalties for the violation thereof.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 208, by Senator Runner: An act withdrawing school lands of the State of Washington from sale, and providing for the leasing thereof.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, School and Tide Lands.

Senate bill No. 209, by Senator Hemrich: An act providing for the appointment of a State Bank Examiner, defining his duties, and the duties of the officers of the banks under his supervision.

The bill was read the first time; and, on motion of Senator Hemrich, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 210, by Senator Schofield: An act providing for making definite and certain the boundaries of incorporated towns or cities of the fourth class, the boundaries of which are indefinite or uncertain.

The bill was read the first time; and, on motion of Senator Schofield, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 211, by Senator Plummer: An act providing for the installation of the Charles F. Gifford's condensing system in the state institutions, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 212, by Senator Preston: An act amending

section 1 of an act entitled "An act relating to the location and establishment of private roads of necessity, and providing for compensation for lands taken therefor," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 354, by Committee on Judiciary (substitute for 164): An act relating to the sale of property under execution, decrees and orders of sale, and the confirmation of sheriff's sales, and redemption therefrom, and repealing an act passed by the Legislature of the State of Washington March 2d, 1897, approved March 10th, 1897, entitled "An act relating to the sale of property under execution and decrees, and the confirmation of sheriff's sales, and repealing sections 511, 512, 513, 514, 515, 516, 517, 518, 519, 520 and 521 of Vol. 2 of Hill's Annotated Statutes and Codes," etc.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House memorial No. 6, by Mr. Thacker: Relating to lighthouse and military reserves.

The memorial was read the first time; and, on motion of Senator Crow, the rules were suspended, the memorial read the second time by title, and referred to Committee on Memorials.

On motion of Senator Preston, Senate bill No. 81, by Senator Schofield, "An act to amend sections 3 and 4 of an act entitled 'An act relating to county boundaries,' approved March 16, 1897, the same being sections 3 and 4 of Chapter LXXVI of the Session Laws of 1897," was placed on its final passage, and passed by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Davis, Hall, Hammer, High, Hill, Keith, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 25.

Those voting nay were: Senators Clapp and Hamilton — 2.

Absent or not voting: Senators Crow, Hemrich, Land, LeCrone, Plummer, Runner, and Wooding — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 83, by Senator Preston, "An act to establish an industrial home for the blind, making an appropriation therefor, and declaring an emergency," was placed on its final passage, and passed by the following vote: Yeas 20, nays 11, absent or not voting 3.

Those voting yea were: Senators Andrews, Baum, Crow, Davis, Hall, Hammer, Hemrich, Hill, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Wilshire, and Yeend — 20.

Those voting nay were: Senators Baker, Biggs, Clapp, Cole, Hamilton, High, Keith, LeCrone, Reinhart, Runner, and Warburton — 11.

Those absent or not voting were: Senators Carper, Megler, and Wooding — 3.

The emergency clause failed to pass by the following vote: Yeas 22, nays 10, absent or not voting 2.

Those voting yea were: Senators Andrews, Baum, Crow, Davis, Hall, Hammer, Hemrich, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 22.

Those voting nay were: Senators Baker, Biggs, Clapp, Cole, Hamilton, High, Hill, Keith, LeCrone, and Runner — 10.

Absent or not voting: Senators Carper and Wooding — 2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston, the rules were suspended, and Senate bills Nos. 81 and 83 were immediately transmitted to the House.

On motion of Senator Schofield, the Senate went into Committee of the Whole for consideration of Senate bill No. 96, by Senator Schofield, "An act making appropriations for certain deficiencies of previous fiscal terms, and for other purposes," with Senator Mantz in the chair.

The committee arose and reported the bill back to the Senate with the recommendation that it do pass with the following amendments:

Insert after line 43, section 1, printed bill, the following: "From the permanent school fund to Chehalis Boom Company, for moneys erroneously paid the state under condemnation de-

cree as appears in state school land condemnation record, Vol. 1, page 56, treasurer's receipt No. 570, \$775, and that condemnation decree aforesaid be cancelled and said property conveyed by quit claim deeds from said Chehalis Boom Company to the state."

On motion of Senator Megler the bill was referred to the Engrossing Committee.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 21, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 44, entitled "An act to amend section 19 of an act entitled 'An act relating to appeals to the Supreme Court,' approved March 8th, 1893," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

The report was placed on file.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 83, entitled "An act to establish an industrial home for the blind, making an appropriation therefor, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, Harold Preston.

The report was placed on file.

REPORT OF STANDING COMMITTEES

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 158, entitled, "An act fixing maximum steamboat freight rates in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, with the following amendments:

Add to the title the words, "and declaring an emergency."

In line 1, section 1, of the printed bill, at the end of the line insert the word "for."

At the end of section 1, insert: "*Provided*, That no company shall be compelled to charge less than twenty-five cents for a single shipment."

In line 1, section 2, strike "is hereby declared to," and in the same line insert the letter "s" after the word "exist."

In line 2, strike "after its passage and approval by the governor."

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: Thos. J. Miller, David Miller, Dan Paul, Ed. S. Hamilton, C. F. Clapp, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 124, entitled "An act to establish the validity of the organization of municipal corporations incorporated under existing laws of the state, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, C. A. Mantz, S. Warburton, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of O. I. Wood, \$6.00, for labor and supplies, and W. T. Cavanaugh, postmaster at Olympia, 95 cents, for box rent 1st quarter, 1899, and one key, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed in full.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer, A. Hemrich.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 165, entitled "An act defining trusts and defining the penalty and punishment of corporations, person, firms, association or person connected with them, and making void all contracts entered into for the purpose of hindering free competition in the State of Washington, making persons concerned in the violation of this act competent witnesses and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, W. H. Plummer.

The report was adopted.

OLYMPIA, February 9, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 9, entitled "An act to establish a fish hatchery on the waters of

Willapa harbor and making an appropriation for the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by substituting \$3,000 in lieu of \$4,000, and that the bill as amended do pass.

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High J. A. Davis.

The report was adopted.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred Senate bill No. 20, entitled "An act to establish and maintain a fish hatchery on the Snohomish river or one of its tributaries, and appropriating funds therefor, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 160, entitled "An act to protect sturgeon and to regulate the time and manner of fishing for sturgeon in the waters of the Columbia river, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

Second line of title, insert, between words "river" and "and," words prohibiting the use of Chinese hooks in waters of this state, providing penalty."

Strike word "tide" wherever it may appear in this act.

In section 3, line 3, strike "the Columbia river," and substitute in lieu thereof, "this state."

Section 3, line 6, strike words "the Columbia river," and substitute in lieu thereof the words, "this state."

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 6, entitled "An act to establish and maintain a fish hatchery on the Skokomish river or one of its tributaries, and appropriating funds therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be

amended by substituting \$4,000 in lieu of \$5,000, and that the bill as amended do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred Senate bill No. 41, entitled "An act to establish and maintain a fish hatchery on the Wenatchee river or one of its tributaries, and appropriating funds therefor" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred Senate bill No. 123, entitled "An act prohibiting the catching of any fish in any of the stocked lakes in this state, except with a hook and line, and providing a penalty for the violation thereof and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking emergency clause and that as amended do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate concurrent resolution No. 9, referring to boundary lines between the States of Oregon and Washington, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 30, entitled "An act to establish and maintain a fish hatchery on the Nooksack river or one of its tributaries and appropriating funds therefor,"

have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be amended by substituting \$4,000 in lieu of \$5,000 in the bill, and that the bill as amended do pass.

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 215, entitled "An act prohibiting the sale of mountain, stream and brook trout, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, Augustus High, J. A. Davis.

On motion of Senator Preston, the report and the bill were placed on general file.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 21, 1899.

MR. PRESIDENT:

The House has returned Senate bill No. 138, entitled "An act for the relief of O. M. Hidden," for engrossment, and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

On motion of Senator Hammer Senate bill No. 124 by Senator Hammer, an act to establish the validity of the organization of municipal corporations incorporated under existing laws of the state, and declaring an emergency, was read the third time by sections.

On motion of Senator Preston the bill was placed on its final passage and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were Senators Andrews, Baum, Biggs, Carper, Clapp, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton and Yeend—28.

Absent or not voting, Senators Baker, Cole, Hall, Miller David, Wilshire and Wooding—6.

The emergency clause passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were Senators Andrews, Baum, Biggs, Carper, Clapp, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, and Yeend — 28.

Absent or not voting, Senators Baker, Cole, Crow, Hall, Wilshire and Wooding — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston the rules were suspended and the bill was ordered immediately transmitted to the House.

Senator Plummer moved that when the Senate adjourn it be until 10 A. M. Thursday.

The motion prevailed.

Senator Crow moved that a joint committee consisting of three Senators be appointed by the president to act in conjunction with four members of the House to be known as a special committee to formulate a bill re-districting the judicial districts of the state.

The motion prevailed.

House joint resolution No. 19, commemorative of Rev. John R. Thompson, deceased, late chaplain first regiment, Washington Volunteers, was read, and on motion of Senator Davis was laid on the table.

On motion of Senator Andrews the Senate adjourned at 4:30 P. M. until 10 A. M. Thursday.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 23, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

The journal of Tuesday was read and approved.

The president appointed Senators Crow, Mantz, and High on the joint committee on judicial reorganization, also Senators Keith, Paul, Land, LeCrone and Davis a committee to prepare calendar.

The following messages were received from the House.

MESSAGE FROM THE HOUSE.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 319, entitled "An act for expediting the completion of the state capitol building and for the reduction of the costs thereof by changing the original plans, providing for payment of interest and making an appropriation therefor as follows:

Section 1, line 4, after the word "one" insert "if necessary." Section 2, line 4, after the word "building" insert "provided that the guarantee of said interest on the part of the state shall not extend beyond fifteen years after the issue of said warrants." Section 2, line 4, strike "however" and insert in lieu thereof the word "further."

The House has passed House bill No. 21, entitled "An act authorizing and empowering cities of the first, second, third and fourth classes to regulate and license by ordinance the riding of bicycles, tricycles and other like vehicles; to construct, maintain and regulate the use of bicycle paths and roadways; prohibiting the improper use of such paths and roadways and providing a penalty; and declaring an emergency."

Also, House bill No. 27, entitled "An act providing for the manner of changing the name of an incorporated city or town.

Also, House bill No. 34, entitled "An act to provide for the erection of screens at the head of irrigating, mill or electric light flumes, or ditches or canals, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches, or canals and providing a penalty for the violation thereof."

Also, House bill No. 223, entitled "An act to amend section eight,

chapter one hundred and twenty-seven of the Session Laws of 1893 entitled "An act to provide for the manner of commencing civil actions in the superior courts and bringing the same to trial" the same being section 4876 of Ballinger's Annotated Codes and Statutes of Washington.

Also House bill No. 259, entitled "An act to amend section 2054 of the Code of 1881, being section 4569 of Ballingers' annotated codes and statutes of Washington relating to termination of indefinite or monthly tenancies."

Also House bill No. 267, entitled "An act to repeal an act entitled an act relating to negotiable paper, approved March 16, 1897."

Also House bill No. 268, entitled "An act providing for the compulsory assignment of mortgages and regulating such assignments."

Also House bill No. 301, entitled "An act relating to the sufficiency and justification of bail and sureties on bonds and amending section 245 of volume 2 of Hill's Annotated Codes and Statutes of the State of Washington."

Also House bill No. 306, entitled "An act to amend sections seven and eight of an act entitled 'an act in relation to garnishments,' approved March 8, 1893 the same being sections 5396 and 5397 respectively of Ballinger's Annotated Codes and Statutes of Washington."

Also House bill No. 307, entitled "An act prohibiting removal of buildings or other improvements from property that is mortgaged or subject to mechanic's lien, without consent of mortgagee or lienor, and prescribing punishment for violation."

Also House bill No. 308, entitled "An act prohibiting the sale or other disposition of personal property of which possession has been obtained through conditional sale or lease, declaring the same to be a misdemeanor and fixing the penalty."

Also House bill No. 321, entitled "An act to amend section 224 of the first volume of Hill's Annotated Code of the State of Washington, in regard to the bond of prosecuting attorneys, and to regulate the amount thereof according to the class of the county."

Also House bill No. 186, entitled "An act repealing an act entitled 'An act establishing a Board of Pardons and defining its duties, and declaring an emergency,'" approved March 6, 1897, and an act entitled "An act to amend section 1 of act entitled 'An act establishing a Board of Pardons and defining its duties, and declaring an emergency,'" approved March 11, 1897, and declaring an emergency.

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 131, entitled "An act licensing the use of all mechanical contrivances known as "Nickle in the slot" machines, and providing for the enforcement of this act, have had the same under consideration, and we

respectfully report the same back to the Senate, with the recommendation that the word seventy be substituted for the word twenty, in line 1, section 1, and that the following be added as section 6:

Section 6. Nothing in this act contained shall prevent any municipal corporation in the state imposing and collecting additional license fees on such machines, used or operated, within its corporate limits; and that as so amended the bill do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report: E. C. Keith, Paul Land.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 60, entitled "A bill for an act to provide for the adoption and use of school text-books in all school districts, including or included within cities and towns maintaining high schools and supplying, free to their pupils, text-books and supplies," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

We concur in this report: E. C. Keith, Paul Land.

The report was adopted.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred House bill No. 79, entitled "An act establishing the state museum at the University of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

DAVID MILLER, Chairman.

We concur in this report: W. E. Runner, Dan Paul, W. W. Wilshire, D. E. Biggs.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 176, entitled "An act providing for the conveyance and transportation of convicts from the place of conviction to the State Penitentiary, and repealing sections 1176, 1177, 1178, 1179 and 1180 of Vol. 1, Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass as amended.

Amend section 1, line 4, by striking out all the line after the word "penitentiary."

Strike out line 5 up to and including the word "necessary."

Amend line 6 by striking out the words "of the State Penitentiary."

Amend line 8 by striking out the word "state;" and also, amend line 8 by striking out the words "secure and."

Strike out the word "special" in line 9.

In line 12 strike out the comma after the word "conviction" and insert a period in lieu thereof. Strike out the word "and" following.

Strike out the word "state" and the word "special" in line 13.

Strike out the word "thereof" in line 14.

After the word "the," in line 15, insert the word "superior." After the word "court" insert the words "of the county." Strike out the words "in which any person." In the same line strike out the words "duly made." Strike out the words "of the county is being held."

Amend lines 17 and 18 by striking out all of line 17 after the word "court," and line 18 up to and including the word "court."

After the word "conviction," in line 19, insert the words "and super-sedeas given to withhold the notice."

Amend section 2, line 3, by striking out all after the word "by," and all of line 4 up to and including the word "penitentiary," and insert in lieu thereof the words "such guard or deputy."

Amend line 5 by striking out the word "special." Amend line 6 by striking out the word "special."

Amend section 4, line 1, by striking out the word "special." In the same line and section strike out the word "out." Strike out the word "out" in line 3 and insert in lieu thereof the words "when approved by the warden."

In section 5, line 1, strike out the word "special."

In section 4, line 4, after the word "lawful" insert the words "shall be."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, John I. Yeend, Herman D. Crow, C. A. Mantz, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 195, entitled "An act to provide for the establishment and maintenance of a state road from the town of Bridgeport, in Douglas county, to the town of Republic, in Stevens county, and making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

THOS. J. MILLER.

We concur in this report: C. F. Clapp, Dan Paul, Geo. S. Schofield.

The report was adopted.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 86, entitled "An act providing the maximum rate to be charged by railroad and steamship companies for transportation of passengers within the state, and fixing a penalty for the violation thereof," have had the same under consideration, and we respectfully

report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: Thos. J. Miller, David Miller, C. F. Clapp, Geo. S. Schofield, Dan Paul, Ed. S. Hamilton.

On motion of Senator Preston the report and the bill was placed on general file.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, a majority of your Committee on Railroads and Transportation, to whom was referred Senate bill No. 14, entitled "An act fixing the maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, and the substitute bill herewith submitted adopted.

Respectfully submitted.

THOMAS J. MILLER.

We concur in this report: Geo. D. Schofield, Dan. Paul, C. F. Clapp, Ed. S. Hamilton.

On motion of Senator Wilshire the majority and minority reports and the bill were placed on general file.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, the undersigned, a minority of your Committee on Railroads and Transportation, to whom was referred Senate bill No. 14 and House bill No. 86, relative to passenger rates, concur with the committee's action in submitting a substitute bill therefor, except as to that portion of said substitute bill fixing the maximum railroad passenger fare for persons over ten years of age at four cents per mile, and recommend that it be fixed at three and one-half cents per mile.

Respectfully submitted.

W. E. RUNNER, Chairman.

I concur in this report: David Miller.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 163, entitled "An act to provide for the more efficient assessment and collection of taxes on the property of railroads in the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be amended as follows:

Section 1, line 5, of the printed bill, insert after the words, "right-of way," the following: "Depot grounds and railroad yards."

In the same line, after the word "superstructures," insert the word "thereon."

Same line, insert after the word "including," the word "buildings."

Section 1, line 7, strike out the words "and yards."

Section 1, line 8, of the printed bill, strike out the words "the railroad company," and in place thereof insert the words "such persons, companies or corporations."

Same section, line 11, strike out the words "railroad companies," and in place thereof insert "such persons, companies or corporations."

Same section, line 12, after the word "property," insert the following: "And material on hand and supplies provided for operating and carrying on the business of such railroads, and the moneys, credits, and all other property of such persons, companies or corporations used or held for the purpose of operating its railroads."

Amend section 1, line 6, of the printed bill, by inserting after the word "tracks," and before the word "and," the word "spurs."

Section 2 of the printed bill, strike out all of lines 38, 39, 40, 41, 42, 43, and the words "the road," in line 44.

Amend section 2 by adding the following: "For the purposes of assessment and taxation, no other description is necessary than that given by, the the same is conclusive upon, the person, company or corporation. No assessment shall be invalid on account of a misdescription of the railway or the right-of-way for the same."

Amend section 3, line 1 of the printed bill, by inserting at the beginning of said line the following: "On the first day of April of each year."

Same section, in line 2, strike out the words "on the first day of April of each year," and in place thereof insert the following: "Who shall be chairman of said board."

Same section, line 10, strike out the words "tunnels, bridges."

Same line, after the word "terminal," insert the words "grounds, yards, and."

In the same line, before the word "tracks," insert the word "side."

In the same line, after the word "tracks," insert the words "spurs and turnouts."

Amend section 4, line 11 of the printed bill, by putting a comma after the word "individual," and thereafter inserting the word "or."

In the same line, strike out the comma after the word "board," and insert a comma after the word "motion."

Amend section 5 of the original bill, line 9, by inserting after the word "property," the word "of."

Amend section 5 of the printed bill, line 4, by striking out the word "thousand," and insert in the place thereof the word "hundred."

Same line, strike out the figures "5,000," after the dollar sign, and in place thereof insert the figures "500."

Amend the same section by changing the period at the end thereof to a comma, and thereafter add the following: "And such assessment by said board shall be final and conclusive."

Amend section 6, line 1 of the printed bill by striking out the word "May," and in place thereof insert the word "July."

Strike section 9, and in place thereof insert, "An emergency exists, and this act shall take effect immediately."

Your committee recommends that the bill be reprinted, and as amended, do pass.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: C. E. Keith, F. M. Baum, Joseph Hill, Paul Land, Oliver Hall.

The report was adopted.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 96, entitled "An act making appropriations for certain deficiencies of previous fiscal terms and for other purposes," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, February 21, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 93, entitled "An act amending sections 1 and 24, of chapter 33, of the Laws of 1892, entitled "An act relating to proceedings supplemental to execution," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, John I. Yeend, Herman D. Crow, C. A. Mantz, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred Senate bill No. 50, entitled "An act to amend section 30 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, defining their duties and making an appropriation therefor, and declaring an emergency,' being chapter 89, Session Laws of 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended on the floor of the Senate.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report: J. C. Van Patten, John H. Carper, J. G. Megler, David Miller.

The report was adopted.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred House bill No. 149, entitled "An act making it unlawful to injure or damage in any way the public lands of the State of Washington and prescribing the punishment therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report: J. C. Van Patten, John H. Carper, J. G. Megler, David Miller.

The report was adopted.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 179, entitled "An act to provide for the assessment of property of railroad companies for the purposes of taxation in the State of Washington and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that said bill be indefinitely postponed for the reason that the provisions therein are covered by Senate bill 163.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: Oliver Hall, Joseph Hill, E. C. Keith, F. M. Baum, Paul Land.

The report was adopted.

Senator Plummer moved that action on House bills be postponed until next Wednesday.

Senators Mantz, Megler, Warburton, McReavy, T. J. Miller, and Wilshire demanded the roll call on the motion, which resulted as follows: Yeas 16, nays 16, absent or not voting 2.

Those voting yea were: Senators Baum, Biggs, Carper, Cole, Hemrich, High, Hill, Kieth, Land, Miller T. J., Paul, Plummer, Van Patten, Warburton, Wooding, Yeend, and Mr. President—17.

Those voting nay were: Senators Andrews, Baker, Clapp, Crow, Hall, Hamilton, Hammer, LeCrone, Mantz, McReavy, Megler, Miller David, Preston, Reinhart, Runner, and Wilshire—16.

Absent or not voting: Senators Davis, and Schofield.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

The House has passed House bill No. 457, entitled "An act authorizing the State Fish Commission to transfer to the United States the state

fish hatchery, known as Baker Lake fish hatchery, located in Whatcom county, and declaring an emergency."

The Speaker of the House has signed House bill No. 319, entitled "An act for expediting the completion of the state capitol building and for the reduction of the costs thereof by changing the original plans, providing for payment of interest, and making an appropriation."

And the same are herewith transmitted to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bill No. 319.

The following resolution was offered by Senator Plummer:

WHEREAS, It has been ascertained by cable dispatches that at an engagement which took place on the nights of February 4th and 5th, and during the day of February 5th, near Manila, Philippine Islands, between the Philippine insurgents and the American troops; and

WHEREAS, We are also informed that our regiment, the First Washington Volunteers, exhibited extraordinary bravery, marked ability and gallant heroism in the long battle which ensued, being placed in such a position as to receive the most relentless fire; and

WHEREAS, George W. McGovern, corporal, company A; Ralph W. Simonds, private, company A; George B. Reichart, private, company E; Frank W. Smith, private, company I; Mathias H. Cherry, private, company E; Sherman Harding, private, company I; Edward H. Perry, private, company I; Walter M. Hansom, private, company L; Arno H. Moeckel, private, company H; Ralph E. Shearer, private, company E, were killed, and Joseph Dougherty, private, company A; James F. Greek, private, company A; John C. Klien, private, company A; Richard H. McLean, private, company A; Oscar Sowards, private, company A; Will C. Hopwood (since died), private, company D; Nicholas C. Polley, private, company D; Walter P. Fox, private, company E; George M. Duncan, private, company G; William J. Kays, private, company C; Ernest H. A. Fischer, private, company I; John Pruitt, private, company L; Jesse N. Morgan, private, company M; J. B. Weatherby, civilian cook; Howard M. Holland, private, company D; William C. Everett, private, company A; William R. Fait, private, company A; Otto H. Hoppe, private, company A; Albert M. Owin, private, company A; Frank Rivers, private, company A; Laurin L. Lawson, private, company D; Albert T. Pray, private, company B; August Zehnder, private, company C; Herbert L. Osborn, private, company E; Myra Cusker, private, company I; Rolla Proudfoot, private, company I; Joseph P. Bernier, private, company M; Daniel Campbell, private, company M; John B. Carlisle, private, company M; Charles E. Augustin, corporal, company M; Albert H. Otis, captain, company A; Edwin K. Erwin, first lieutenant, company A; Joe Smith, second lieutenant, company H; Rufus B. Clark, quartermaster sergeant, company C; Oliver Clancy, quartermaster sergeant, company G; Kendall Fellows, corporal, company A; Charles F. Dellano, corporal, company A; John F. Mitchell, corporal, company A; Fred W. Schander, corporal, company A; James A. Time-

well, corporal, company A; Neil McDougal, corporal, company I, all of the First Washington Volunteers, were wounded during said battle, while bravely, loyally and gallantly performing their duties; and

WHEREAS, Miles E. Kyger, private, company I, Daniel Kyger jr., private, company I; Allen E. Carlisle, private, company I; Charles Zuger, private, company K; Leslie A. Hill, private, company K; Edward L. Burnhan, private, company B; John C. Baggot, private, company E; Christopher Lynch, private, company K, have died during service; now, therefore, be it

Resolved by the Legislature of the State of Washington, That the State of Washington extends to the relatives and friends of those brave soldiers who willingly laid down their lives in the performance of their duties, its deepest and most profound sympathy, and to its honored wounded the sincere regrets of its citizens, and trust an early and complete recovery will be realized; and be it further

Resolved, That the citizens of the State of Washington are proud of its volunteers, and the acts of the officers and men of the First Washington regiment in the recent battle at Manila are especially commendable, and we trust that their deeds of valor and bravery will be recognized by the general government in a substantial manner; and be it further

Resolved, That an enrolled copy of these resolutions be transmitted to J. H. Wholley, commander of the First Washington regiment, and to each of those named as wounded, and to the families or other relatives of the dead heroes, as a testimonial of the state's appreciation of their sacrifices and services, and these proceedings be given the press for publication.

The resolution was adopted by unanimous vote.

INTRODUCTION OF BILLS.

Senate bill No. 213, by Committee on Railroads and Transportation, (substitute for Senate bill No. 14 and House bill No. 86): An act fixing maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof.

The bill was read the first time, and on motion of Senator ——— the rules were suspended, the bill read the second time by title and referred to the committee on general file.

Senate bill No. 214, by Senator Wilshire (by request): An act creating a commission on revenue and taxation, prescribing its personnel, term of office, scope, functions, duties and powers, salaries and emoluments, and limitations, and appropriating money for its operation, and declaring an emergency.

The bill was read the first time, and on motion of Senator Wilshire the rules were suspended, the bill read the second time

by title and referred to the Committee on Revenue and Taxation.

Senate bill No. 215, by Senator Crow: An act providing for voting on a constitutional amendment at the general election to be held in November, 1900, relative to the ownership of lands by aliens.

The bill was read the first time, and on motion of Senator Crow the rules were suspended, the bill read the second time by title and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 216, by Senator Crow: An act to change the name of the Agricultural College, Experiment Station and School of Science of the State of Washington, to The State College of Washington.

The bill was read the first time, and on motion of Senator Crow the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 217, by Senator Plummer: An act regulating the sale of baking powders containing carbonate of ammonium and fixing penalty for violation thereof.

The bill was read the first time, and on motion of Senator Plummer the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 218, by Senator Keith: An act amending sections 9 and 12 of an act entitled: "An act providing for the survey and establishment of a state road, creating a commission; defining its duties, and making an appropriation therefor, and declaring an emergency," approved March 18, 1897.

The bill was read the first time, and on motion of Senator Keith the rules were suspended, the bill read the second time by title and referred to the Committee on Roads and Bridges.

Senate bill No. 219, by Senator Carper: An act exempting any person, company or corporation owning, leasing or managing any railroad in this state not exceeding fifty miles in length from the statutory provisions establishing maximum freight rates.

The bill was read the first time, and on motion of Senator Carper the rules were suspended, the bill read the second time by title and referred to the Committee on Railroads and Transportation.

House bill No. 21, by Mr. Heilig: An act authorizing and empowering cities of the first, second, third and fourth classes to regulate and license by ordinance the riding of bicycles, tricycles and other like vehicles; to construct, maintain and regulate the use of bicycle paths and roadways, and providing a penalty and declaring an emergency.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 27, by Mr. Callvert: An act providing for the manner of changing the name of an incorporated city or town.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 34, by Mr. Chrisman: An act to provide for the erection of screens at the head of irrigation, mill or electric light flumes or ditches, or canals, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

House bill No. 223, by Mr. Frye: An act to amend section 8, chapter 127, of the Session Laws of 1893, entitled "An act to provide for the manner of commencing civil actions in the superior courts and bringing the same to trial," the same being section No. 4876 of Ballinger's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 259, by Mr. Heilig: An act to amend section No. 2054 of the Code of 1881, being section No. 4569 of Ballinger's Annotated Statutes and Codes of Washington relating to termination of indefinite or monthly tenancies.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 267, by Mr. LaFollette: An act to repeal an act entitled "An act relating to negotiable paper," approved March 16, 1897.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 268, by Mr. Gleason: An act providing for the compulsory assignment of mortgages and regulating such assignments.

The bill was read the first time; and, on motion of Senator Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 301, by Mr. Gose: An act relating to the sufficiency and justification of bale and sureties on bonds, and amending section No. 245 of volume 2 of Hill's Annotated Codes and Statutes of the State of Washington.

The bill was read the first time; and, on motion of Senator High, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 306 by Mr. Bedford: An act to amend sections 7 and 8 of an act entitled: "An act in relation to garnishments," approved March 8, 1893. The same being sections 5396 and 5397 respectively of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 307 by Mr. Heilig: An act prohibiting the removal of buildings or other improvements from property that is mortgaged or subject to mechanic's lien, without consent of mortgagee or lienor, and prescribing punishment for violations.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 308 by Mr. Heilig: An act prohibiting the sale or other disposition of personal property of which possession has been attained through conditional sale or lease, declaring the same to be a misdemeanor, and fixing the penalty.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 321 by Mr. White (by request): An act to amend section 224 of the first volume of Hill's Annotated Code of the State of Washington, in regard to the bond of prosecuting attorneys, and to regulate the amount thereof according to the class of the county.

The bill was read the first time; and, on motion of Senator Runner, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 186 by Mr. Callvert: An act repealing an act entitled "An act establishing a Board of Pardons and defining its duties, and declaring an emergency," approved March 6, 1897, and an act entitled 'An act to amend section 1 of an act entitled "An act establishing a Board of Pardons and defining its duties and declaring an emergency," approved March 11, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 50, entitled "An act to amend section 30 of an act entitled 'An act to provide for the selection, survey, management, etc.,'" have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: Harold Preston, C. A. Mantz.

Senate bill No. 96, by Senator Hall, making appropriations for certain deficiencies of previous fiscal terms, and for other purposes, was placed on its final passage and passed by the following vote: Yeas 33, nays none, absent or not voting 1.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—33.

Absent or not voting Senator Baum.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 50, by Senator T. J. Miller, to amend section 30 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, defining their duties and making an appropriation therefor, and declaring an emergency," being chapter 89, Session Laws of 1897, was read the third time by the secretary, and on motion of Senator Preston, was referred to the Engrossing Committee.

SENATE CONCURRENT RESOLUTION NO. 15.

The following resolution was introduced by Senator T. J. Miller :

Proposed amendment to article two, section one of the State Constitution.

Resolved by the Senate, the House concurring, that the following amendment to the constitution of the State of Washington is hereby proposed.

Section one of article two of the constitution shall be and hereby is amended to read as follows: "Section 1. The legislative powers shall be vested in a Senate and House of Representatives, which shall be called the Legislature of the State of Washington, but the people reserve to themselves power to propose laws and amendments to this constitution and to enact or reject the same at the polls independent of the Legislature. And also reserve power at their own option to approve or reject at the polls any act of the Legislature. The power to propose or initiate laws to be enacted or rejected at the polls shall be vested in ten per cent. of the legal voters of the state filing a petition with the Secretary of State not less than three months prior to the election at which such law or laws, amendment or amendments are to be voted upon. Every such petition shall include the full text of the measure or measures so proposed. The right to approve or reject any act of the Legislature shall be vested in the people in the same manner as the right to propose legislation, but this power shall not extend to laws necessary for the immediate preservation of the public peace, health or safety or to laws appropriating money for the proper conduct of the various departments of the state government. Petitions asking for the submission of laws passed by the Legislature, for adoption or rejection

at the polls shall be filed with the Secretary of State not more than sixty days after the final adjournment of the session of the Legislature which passed the bill for which the petition is filed. The legislature may submit any measure to the people for adoption or rejection at the polls by a joint concurrent resolution, passed by a majority of both houses in the same manner as other bills are passed. The veto power of the Governor shall not extend to measures referred to the people. All elections on measures referred to the people of the state shall be had at the regular bi-ennial general elections unless the legislature shall order a special election. Any measure referred to the people shall take effect and become law when it is approved by a majority of the votes cast thereon and not otherwise. The style of the laws made or ratified in accordance with the provisions of this section shall be: "Be it enacted by the people of the State of Washington." This section shall not be so construed as to deprive any member of the Legislature of the right to introduce any measure. The highest number of votes cast for judge of the supreme court at the regular election last preceding the filing of any petition for proposing or referring a measure shall be basis on which the number of legal voters necessary to sign such petition shall be counted. The Legislature shall pass laws specifying how the genuineness of signatures to any petition may be ascertained. All laws proposed and all laws referred for approval or rejection at the polls shall be published by the Secretary of State at least sixty days prior to the election at which such laws are to be voted on."

On motion of Senator T. J. Miller, the resolution was referred to the Committee on Constitution and Constitutional Revision.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 457, entitled "An act authorizing the state fish commission to transfer to the United States the state fish hatchery known as Baker Lake fish hatchery, located in Whatcom county, and declaring an emergency," and the same is transmitted herewith to the Senate

W. F. DILLON, Chief Clerk.

The president signed the above House bill No. 457.

House bill No. 457, by Committee on Fisheries, authorizing the state fish commission to transfer to the United States the state fish hatchery known as Baker Lake fish hatchery, located in Whatcom county, and declaring an emergency, was read the first time, and on motion of Senator Megler the rules were suspended, and the bill read the second time by title.

On motion of Senator Megler the rules were further suspended and the bill read the third time and placed on its final passage

and passed by the following vote: Yeas 32, nays none, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 32.

Nays: None.

Absent or not voting: Senators Baum and High — 2.

The emergency clause passed by the following vote: Yeas 32, nays none, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 32.

Nays: None.

Absent or not voting: Senators Baum and High — 2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Megler the rules were suspended and the bill ordered immediately transmitted to the House.

Senator Hamilton moved that Miss H. B. Thompson be appointed committee clerk of group 12, to take the place of Thomas Sammons, resigned.

The motion prevailed, and the president administered the oath of office to Miss H. B. Thompson, pursuant to the motion.

SENATE CHAMBER.

OLYMPIA, WASH., February 23, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 216, entitled "An act to change the name of the Agricultural College, etc., to the State College of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: John H. Carper, S. Warburton, Geo. D. Schofield, John I. Yeend, Herman D. Crow, C. A. Mantz.

On motion of Senator Crow the report was adopted and the bill placed on general file.

Senator Plummer moved that the bill be placed on its third reading.

Senator Warburton moved to amend that the bill be referred to the Committee on Education.

Senator Megler moved that we do now adjourn.

The motion was lost.

On motion of Senator Land the Senate adjourned at 12:50 P. M. until 2 P. M.

AFTERNOON SESSION.

The president called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present.

Senator Warburton withdrew his motion to refer Senate bill No. 216 to the Committee on Education.

Senator Plummer moved to amend by striking "The Washington State College," and insert in lieu thereof The Washington School of Technology.

The motion prevailed.

On motion of Senator Plummer, the bill was placed on its final passage, and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 28.

Absent or not voting: Senators Baker, Baum, Hamilton, Hammer, Miller T. J., and Schofield — 6.

On motion of Senator Crow, the bill was amended by striking "The Washington State College," and inserting "The Washington School of Technology," in lieu thereof.

On motion of Senator Plummer, the rules were suspended and the bill ordered immediately transmitted to the House.

On motion of Senator Megler, the Senate resolved itself into Committee of the Whole for the consideration of Senate bill No. 142, by Senator Keith, for the relief of Horatio Alling, chief clerk

in the office of Secretary of State, making an appropriation therefor, and declaring an emergency.

Senator Megler in the chair.

The committee arose and reported the bill back, with the recommendation that it do pass with the following amendments:

Strike section 4 and insert the following: "Sec. 4. That there be appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of one hundred sixty-six $\frac{4}{10}$ dollars (\$166.68) for the balance of the salary to end of fiscal year which is not covered by judgment, in favor of Herbert Bashford, and the Auditor shall draw his warrants therefor upon presentation of proper vouchers.

"Sec. 5. That there be appropriated out of any funds in the State Treasury not otherwise appropriated, the sum of one hundred thirty-three and $\frac{32}{100}$ dollars (\$133.32), for the balance of the salary to end of fiscal year, which is not covered by judgments, in favor of B. M. Price, and the Auditor shall draw his warrant therefor upon presentation of proper vouchers."

Strike the emergency clause from the title.

Strike the preamble and foot notes.

On motion of Senator Cole, the report was adopted.

On motion of Senator Megler, the bill was referred to the Engrossing Committee.

On motion of Senator Preston Senate bill No. 50, by Senator T. J. Miller, to amend section 30 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease, and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the Board of State Land Commissioners, defining their duties and making an appropriation therefor, and declaring an emergency," being chapter 89, Session Laws of 1897, was placed on its final passage and passed by the following vote: Yeas 28, nays 2, absent or not voting 4.

Those voting yea were Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller

David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten and Wilshire — 28.

Those voting nay were Senators Hall and Warburton — 2.

Absent or not voting, Senators Baum, Land, Wooding and Yeend — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller the rules were suspended and the bill ordered immediately transmitted to the House.

Senate bill No. 172, by Senator Schofield, to amend section 4469, volume 1, of Ballinger's Annotated Codes and Statutes of Washington, defining who may solemnize marriages, was read by the secretary.

Senator Schofield moved to place the bill on its final passage.

Senator Warburton moved to amend that the bill be referred to the Engrossing Committee.

The motion as amended prevailed.

Senate bill No. 152, by Senator Davis, for the protection of employes, and to prohibit the practice of "blacklisting," and providing penalties for its violation, was read by the secretary.

Senator Wilshire moved to amend by striking the words "who shall," in lines 1, 2 and 4 of the printed bill.

The motion prevailed.

Senator Warburton moved to amend by inserting "wilfully and maliciously" after the word "shall" in line 2, section 1, of the printed bill.

The motion prevailed.

On motion of Senator Warburton, the bill was referred to the Engrossing Committee.

Senate bill No. 46, by Senator Keith, to provide for compensation allowed to guardians of the person and estate of idiots, insane, and all persons who are incapable of conducting their own affairs, was read by the secretary.

Senator Preston moved to amend section 1 by striking all after the word affairs in line 2, and all of line 3, and the first three words of line 4; insert "by law," after the first word in line 6. Strike all the balance of the line and all of lines 7, 8 and 9 up to the period.

The motion prevailed.

Senator Preston moved to strike out section 2.

The motion prevailed.

On motion of Senator Wilshire, all after the word "duty," in line 11, section 1, was stricken from the bill.

On motion of Senator Preston the emergency clause was stricken from the title.

On motion of Senator Warburton, the bill was referred to the Engrossing Committee.

The following message were received from the House :

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1899.

MR. PRESIDENT:

The House has passed House bill No. 83, entitled "An act making provisions for the incorporation of cemetery association.

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

Senate bill No. 79, by Senator David Miller, to preserve from pollution the water supplied to the inhabitants of cities and towns in the State of Washington, to declare what are nuisances in the vicinity of the source of such water supply, providing for the abatement thereof, and for the punishment of the violations of this act, was read by the secretary.

Senator Schofield moved to amend section 3 by inserting after the word conviction in line 5 the words "unless further time be granted by the court."

The motion prevailed.

On motion of Senator David Miller the bill was referred to the Engrossing Committee.

Senate bill No. 101, by Senator LeCrone, to regulate the practice of pharmacy, was read by the secretary.

Senator Van Patten moved to amend section 14 by adding the following: "*Provided further*, That nothing in this act shall in any way affect any pharmacy conducted under the homoeopathic school of medicine that is at present established within this state."

The motion was lost.

Senator Schofield moved to amend section 15 by striking "furthermore that" in line 17.

The motion prevailed.

Senator Davis moved to amend section 15 by striking "that" between "and" and "such" in line 18.

The motion prevailed.

Senator Schofield moved to amend section 15 by striking the words "and" and "the" in line 4.

The motion prevailed.

On motion of Senator Davis the bill was referred to the Engrossing Committee.

Resolved, That Geo. W. Curtis and Miss Maud Latham be appointed assistant engrossing clerks.

J. G. MEGLER,

C. A. MANTZ,

HAROLD PRESTON,

Engrossing Committee.

On motion of Senator Megler, the resolution was adopted.

The president administered the oath of office to Geo. W. Curtis, pursuant to the above resolution.

On motion of Senator Preston, the vote by which the emergency clause of Senate bill No. 108 failed to pass was reconsidered.

The emergency clause was then passed by the following vote: Yeas 27, nays 3, absent or not voting 4.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Warburton, Wilshire, and Yeend — 27.

Those voting nay were: Senators Andrews, Keith, and Van Patten — 3.

Those absent or not voting were: Senators Clapp, Hall, McReavy, and Wooding — 4.

On motion of Senator Preston, the rules were suspended, and Senate bill No. 108 ordered immediately transmitted to the House.

On motion of Senator High, the Senate adjourned at 4:25 P. M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-SEVENTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 24, 1899. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Reinhart, who was excused on account of sickness.

The journal of yesterday was read and approved.

The president administered the oath of office to Miss Maud Latham, assistant engrossing clerk.

The following resolution was offered :

WHEREAS, The vast amount of clerical and stenographic work which has been demonstrated as necessary during the present session, and greatly in excess of what was anticipated, the clerk of the Judiciary Committee has been compelled to work on an average of sixteen hours per day in order to complete the committee reports; and

WHEREAS, Meetings of the Judiciary Committee have been held nearly every night until a late hour during the session: be it therefore

Resolved, The the clerk of the Judiciary Committee be paid the sum of fifty cents per day in addition to what she is now receiving, from the time of her employment.

W. H. PLUMMER,
S. WARBURTON,
JOHN I. YEEND,
C. A. MANTZ,
JOHN H. CARPER,
H. D. CROW,
H. PRESTON,
G. SCHOFIELD.

On motion of Senator Plummer the resolution was adopted.

The following messages were received from the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 24, 1899.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 9, entitled "An act relating to the appointment of commissioners by the Governors of Oregon and Washington to fix the boundaries between the two states."

Also, Senate concurrent resolution No. 14, relating to the appointment of a committee to redistrict the state.

The House returns Senate bill No. 155, entitled "An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington," for engrossment.

The House has passed House bill No. 379, entitled "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency."

And the same are herewith transmitted.

The speaker of the House has appointed Messrs. Daniels, Lambert, Parish, and Pendergast as the conference committee, pursuant to Senate concurrent resolution No. 14, in relation to the redistricting the Supreme Court districts of the state.

W. F. DILLON, Chief Clerk.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 79, entitled "An act to preserve from pollution the water supplied to the inhabitants of cities and towns in the State of Washington; to declare what are nuisances in the vicinity of the source of such water supply, providing for the abatement thereof, and for the punishment of the violations of this act," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 172, entitled "An act to amend section 1382, Vol. I of Hill's Annotated Codes and Statutes of Washington, defining who may solemnize marriages," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: Harold Preston, C. A. Mantz.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 152, entitled "An act for the protection of employes, and to prohibit the practice of "blacklisting," and providing penalties for its violation," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 46, entitled "An act providing for compensation of guardians of

the person and estate of idiots, insane, and all persons who are incapable of conducting their own affairs," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, February 23, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 142, entitled "An act for the relief of Horatio Alling, chief clerk in the office of Secretary of State; Herbert Bashford, State Librarian, and B. M. Price, assistant librarian, and making an appropriation therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: Harold Preston.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 91, entitled "An act providing for the construction of fire escapes on buildings of over two stories in height, and providing a penalty for the violation thereof, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking all in line 1, section 1, to "all," and inserting in line 2 words "above the ground floor," after "height" and before "excepting;" and in line 3, strike "and" after "flats," and before "apartments" insert "hotels;" after "apartments," before "and," insert "business;" after "and" and before "buildings," insert "on or before October 1st, 1899;" after "shall," before "be," in line 9, insert "or city council;" after "works" and before "within," section 2, line 3, strike "each" after "completion" before "be," and line 4, strike "said" after "in" before "section." Section 3, line 1, strike all before "the;" line 2, insert "after October 1st 1899;" after "time" and before "direct," in line 4, strike "or" after "owner" and before "owners;" strike words "lessees or occupant" after "trustees" and before "of," and insert in lieu thereof "or agent;" in line 6, insert "owners" after "owner" and before "trustee," and strike "lessee or occupant" after "trustee" and before "or" and insert in lieu thereof "or agent;" line 11, strike the word "plans" before "of" and insert in lieu thereof "provisions;" in line 14, strike "a" after "serve" and before "notice" and insert in lieu thereof "such;" in line 15, strike "lessees or occupants" after "trustees" and before "of" and insert in lieu thereof "or agent." Section 4, line 1, strike "or" after "owner" and before "owners;" strike "lessees or occupant" after "trustees" and before "or" and insert in lieu thereof "or agents;" line 2, strike "not within" after "shall" and before "thirty" and insert in lieu thereof "fail for;" line 3, insert "to" after "them" and before "place" and insert "upon such building," after "placed" and before "such;" strike "upon such buildings" after "escapes," line 3 and before "as," line 4; strike "and the

terms of such notice" after "act" and before "shall," line 4, and it do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. H. Plummer, Herman D. Crow, Geo. D. Schofield, David Miller, W. W. Wilshire.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 56, entitled "An act to amend an act entitled 'An act authorizing cities, towns and counties to purchase, construct and maintain ferries,' " have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

Section 3, line 1, strike the words "is hereby declared to" after the word "emergency" and before "exist" and make the word "exist" plural by adding "s" after "t" and before "and," and that it do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. W. Wilshire, Herman D. Crow, Geo. D. Schofield, David Miller, W. H. Plummer.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 141, entitled "An act to amend section 16 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, the same being section 508 of volume 1 of Hill's Code, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking all in section 2 after the word "effect" and substituting "immediately," and that it do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, W. W. Wilshire, W. H. Plummer, Herman D. Crow, David Miller.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 52, entitled "An act authorizing and empowering cities of the first, second and third classes to regulate and license the riding of bicycles, tricycles and other like vehicles, and to construct, maintain and regulate the use of bicycle paths and roadways, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended by striking "and," line 1 of title, after "second" and before "third," and insert words "and fourth" after "third" and

before "classes;" and in section 1, line 1, strike "and" after "second" and before "third," and insert "and fourth" after "third" and before "classes;" and in section 2, line 2, insert "or resolution" for "ordinance" and before "and," and add at end of section 2, line 4, after "ordinance," words "or resolution;" and in section 3, line 1, insert "or resolution" after "ordinance" before "provide;" section 4, line 1, make the word "exist" plural "exists," and strike all after "shall" and substitute "take effect immediately," and bill do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. W. Wilshire, W. H. Plummer, Herman D. Crow, Geo. D. Schofield, David Miller.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 55, entitled "An act for the protection of hotels, boarding houses and lodging houses," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, same being exactly like House bill No. 130, now before Senate.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. H. Plummer, Geo. D. Schofield, David Miller, W. W. Wilshire, Herman D. Crow.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 149, entitled "An act defining the power of municipal corporations in respect of granting franchises to street railways, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking all of section 1 and substituting: "No municipal corporations in this state shall grant any franchise for the construction, maintenance, and operation of street railways for any longer period than twenty-five years," and in section 2 line 2, strike all after "until" and substitute "prior to six months before the expiration of such franchise," and in section 3 strike all after "effect," and substitute "immediately," and that the bill do pass.

Respectfully submitted.

THOMAS J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, W. H. Plummer, W. W. Wilshire.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 21, entitled "An act to amend section 3, chapter 69 of the Session Laws of 1893, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments: That the title be

amended to read as follows: An act to amend an act entitled "An act relating to the construction, repair, and improvement of public roads; providing revenue for such purpose; defining the power and duty of certain officers in relation thereto, and fixing their compensation; and to repeal an act entitled 'An act to provide for keeping highways in repair and for the levy and collection of road poll and road property taxes, and declaring an emergency,' approved March 7th, 1890, and declaring an emergency," approved March 9, 1893.

Amend line 6, section 1, by striking out the words "they shall see" after the word "district" and before the word "that" and insert in lieu thereof "upon application in writing of one hundred resident taxpayers of their county require," and in same line after the word "each" and before the word "supervisor" insert the word "road;" and in same line strike the letter "s" from the last word in the line "erects" and make it "erect."

Amend line 7, section 1, by striking the letter "s" from the second word in the line "keeps" and make it read "keep."

Amend line 9, section 1, by placing a semicolon (;) after the word "road," near end of line, and directly after it and before the word "erect" strike the words "also to" and insert in lieu thereof the word "and."

Amend line 10, section 1, by striking after the word "of" and before the word "district" the words "the road" and insert in lieu thereof the word "his."

Amend line 14, Section 1, by placing a semicolon (;) after the word "risen" and before the word "In," and change the capital "I" in the word "In" to a small "i"—"in."

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: Augustus High, Geo. H. Baker, J. G. Megler, C. A. Mantz, John Wooding.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 182, entitled "An act providing for the repair of the Snoqualmie Pass wagon road, and appropriating funds therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend section 2, line 3, by striking the word "five (5)" and insert in lieu thereof the word "seven (7)," making it read "seven hundred dollars."

Amend section 2, line 4, by striking the word "five (5)" and insert in lieu thereof the word "three (3)," making it read "three hundred dollars."

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: Augustus High, Geo. H. Baker, J. G. Megler, C. A. Mantz, John Wooding.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT :

We, your Committee on Municipal Corporations, to whom was referred House bill No. 130, entitled "An act for the protection of hotels, boarding houses, and lodging houses," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by adding after "houses," at the end of title, "and providing a penalty for the violation thereof," and adding at end of section 1, after "misdemeanor," "and on conviction thereof shall be fined in any sum not less than ten dollars (\$10), nor more than fifty dollars (\$50), or imprisoned in the county jail not less than ten days nor more than sixty days."

And as so amended the bill do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. W. Wilshire, Herman D. Crow, Geo. D. Schofield, David Miller, W. H. Plummer.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 354, entitled "An act relating to the sales of property under execution, decrees, orders of sale, etc.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on the general file, made a special order for Tuesday, February 28th, 1899, at 2 o'clock P. M., and that the said House bill with the House amendments be printed as now engrossed.

Respectfully submitted,

W. H. PLUMMER, Chairman.

We concur in this report: John H. Carper, F. M. Baum, Herman D. Crow, S. Warburton, C. A. Mantz, John I. Yeend, Harold Preston, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 91, entitled "An act to fix the time for holding the annual election for road supervisors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: Augustus High, Geo. H. Baker, J. G. Megler, C. A. Mantz, John Wooding.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 228, entitled "An act to regulate the width of wagon tires to be used with lumber wagons," have had the same under considera-

tion, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend section 1, line 3, by striking after the word "year," and before the word "eighteen," the words "of our Lord."

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: Augustus High, John Wooding, J. G. Megler, C. A. Mantz.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 145, entitled "An act in regard to the dismissing of appeals by the Supreme Court; providing for the amendment of appellate proceedings and requiring all cases appealed to be decided upon their merits," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, Herman D. Crow, Geo. F. Schofield, Harold Preston, S. Warburton, John I. Yeend.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 246, entitled "An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electrical current, or appurtenances or appliances connected therewith; or to remove, injure or destroy any house, shop, building or other structure or machinery connected therewith; or to set any fire that shall result in such injury or destruction; or to prevent the removal of any obstruction to such lines, and prescribing the punishment therefor," have had the same under consideration, and we respectfully return the bill with the recommendation that the same be referred to the Committee on Corporations other than Municipal.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, Herman D. Crow, Geo. D. Schofield, Harold Preston, S. Warburton, John I. Yeend.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Medicine, Surgery and Hygiene, to whom was referred House bill No. 236, entitled "An act to amend an act entitled 'An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons; to punish all persons violating the the provisions of this act, and to repeal all laws in conflict therewith,' etc.," have had the same under consideration, and

we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

D. E. BIGGS, Chairman.

We concur in this report: S. M. LeCrone, John H. Carper.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 181, entitled "An act to amend section 2 of an act to amend section 649 of volume 2 of the Statutes of Washington, compiled and annotated by W. Lair Hill, relating to procedure in eminent domain proceedings," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, Herman D. Crow, Geo. F. Schofield, S. Warburton, Harold Preston, John I. Yeend.

The report was adopted.

INTRODUCTION AND READING OF BILLS.

House bill No. 83, An act making provisions for the incorporation of Cemetery Associations, defining their powers and prescribing a penalty for injury to their property was read the first time and on motion of Senator McReavy the rules were suspended the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 379, substitute for House bills Nos. 244, 247, 337, and 340, providing for the protection and propagation of food fishes in the waters of the State of Washington, was read the first time and on motion of Senator McReavy, the rules were suspended the bill read the second time by title, and referred to the Committee on Fisheries.

Senate bill 220, by Senator Preston: An act to amend section 1678 of Volume 1 Hill's Annotated Statutes and Codes of Washington relating to liens on boats.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

Senate bill No. 221, by Senator Preston: An act for the relief of the Seattle and International Railway Company, repaying certain amounts paid under void judgements for condemnation of right-of-way over state lands and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Preston, the bill was read the second time by title and referred to Committee on Appropriations.

Senate bill No. 222, by Senator T. J. Miller: An act amending sections 1 and 3 of "An act to provide for the location and erection of a capitol building and providing an appropriation therefor and declaring an emergency," approved March 21, 1893.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to Committee on Public Buildings and Grounds.

Senate bill No. 223, by Senator Andrews: An act authorizing and directing a guardian of an infant to borrow money for the preservation of the estate of his ward, and providing for mortgaging the real estate of the ward to secure the same.

The bill was read the first time; and, on motion of Senator Andrews, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 224, by Senator Wooding (by request): An act to compel all persons, firms or corporations to place the formulæ of the ingredients of all patent medicines on the outside of the bottle or package that may contain the same medicine and prescribing a penalty for failure to do so.

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title and referred to Committee on Medicine and Surgery.

Senate bill No. 225, by Senator Schofield: An act to amend section 53 of an act of the legislature of the State of Washington entitled, "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas and for the confirmation and completion of the several grants to the state by the United States, creating a Board of Appraisers and a Board of Harbor Line Commissioners as required by Articles 15 and 16 of the State Constitution, which shall be generally known," etc.

The bill was read the first time; and, on motion of Senator Schofield, the rules were suspended, the bill read the second time by title and referred to Committee on Municipal Corporations.

Senate bill No. 226, by Senator Plummer: An act appropria-

ting money for the purpose of paying the outstanding obligations incurred by the Washington State Commissioners to the Trans-Mississippi and International Exposition.

The bill was read the first time; and, on motion of Senator Plummer the rules were suspended, the bill read the second time by title and referred to Committee on Claims and Auditing.

Senate bill No. 227, by Senator Keith: An act for the relief of Fenton H. Goss, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Keith the rules were suspended, the bill read the second time by title and referred to Committee on Claims and Auditing.

Senate concurrent resolution No. 15, by Senator T. J. Miller: Proposed amendment to Article 2, Section 1 of the State Constitution.

Resolution was read the first time; and, on motion of Senator Miller the rules were suspended, the resolution read the second time by title and referred to Committee on Constitution and Constitutional Revision.

Senate memorial No. 8, by Senator Andrews, memorializing congress to divide the 13th Lighthouse District of the United States.

The memorial was read the first time; and, on motion of Senator Andrews, the rules were suspended, the memorial read the second time by title, and referred to Committee on Commerce.

Senator Plummer moved that Senate bill No. 126, by Senator Runner, an act to amend an act entitled "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," approved March 13, 1897, which was made a special order for to-day at 2 P. M., be recommitted.

Senator T. J. Miller moved to amend "that the bill be recommitted and the committee requested to report on the bill at 2 P. M."

The president ruled that the bill was not properly before the Senate and that the motion was out of order.

Senator Wilshire was excused until Monday.

On motion of Senator Runner the Senate adjourned at 12 M. until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Reinhart and Wilshire who were excused.

Senators Davis, Plummer and Hemrich were excused until Monday.

Senate bill No. 126, by Senator Runner, was taken up as a special order and the report of the Committee on Railroads and Transportation in relation thereto was partially read.

Senator Hamilton moved that the bill be recommitted.

Senators LeCrone, McReavy, Crow, Biggs, Runner and Plummer, demanded the roll call on the motion which prevailed by the following vote : Yeas 20. nays 11, absent or not voting 3.

Those voting yea were : Senators Andrews, Baker, Biggs, Clapp, Cole, Crow, Davis, Hamilton, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Paul, Plummer, Schofield and Warburton — 20.

Those voting nay were : Senators Carper, Hall, Hammer, Mantz, Miller David, Miller T. J., Preston, Runner, Van Patten, Wooding and Yeend—11.

Absent or not voting : Senators Baum, Reinhart and Wilshire—3.

Senator Runner moved that the committee be requested to report on Monday and that the bill be made a special order for Tuesday at 2:30.

Senator T. J. Miller moved to amend that the report be made special order for Monday.

Senator Runner withdrew his motion.

Senator David Miller moved that the committee be requested to report to-morrow.

Senator T. J. Miller moved an amendment that the committee be requested to report Monday.

Senator Yeend moved a substitute that the committee report . .

be printed and distributed Monday morning and that it be made a special order for Tuesday, February 28th at 3 P. M.

The motion prevailed.

Senator Preston moved that the bill be made a special order for next Tuesday at 3 P. M.

Senators Mantz, Runner, Miller T. J., High, McReavy and Preston demanded the roll call on the motion, which prevailed by the following vote: Yeas 19, nays 6, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Hall, Hammer, High, Hill, Keith, LeCrone, Mantz, Miller David, Preston, Runner, Van Patten, Warburton, and Yeend—19.

Those voting nay were: Senators McReavy, Megler, Miller T. J., Paul, Schofield, and Wooding—6.

Absent or not voting: Senators Baum, Biggs, Davis, Hamilton, Hemrich, Land, Plummer, Reinhart, and Wilshire—9.

Senate bill No. 142, by Senator Keith, for the relief of Horatio Alling, chief clerk in the office of Secretary of State, making an appropriation therefor, was placed on its final passage and passed by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Runner, Schofield, Van Patten, Wooding, and Yeend—26.

Absent or not voting: Senators Baker, Davis, Hemrich, Miller David, Plummer, Reinhart, Warburton, and Wilshire—8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 46, by Senator Keith, was taken up and on motion of Senator Keith was recommitted.

Senate bill No. 78, by Senator Cole, an act to amend section 1 of chapter XLV of the Session Laws of 1897, entitled "An act for the protection of persons working in coal mines, approved March 6, 1897," was read the third time by sections.

Senator Cole moved to amend section 1 by striking "mileage paid out for traveling" and insert in lieu thereof "traveling expenses exclusive of subsistence."

The motion prevailed.

Senator Megler moved to amend by striking "quarterly," in line 28, and insert in lieu thereof "and his actual traveling expenses exclusive of subsistence."

The motion prevailed.

Senator Preston moved to amend by striking "from any unusual cause," in line 29, and insert in lieu thereof "because of any serious mine accident."

The motion prevailed.

Senator Preston moved to amend by striking "necessary," in line 37, and insert in lieu thereof "actual," and also insert after the word "expenses," in line 37, the words "exclusive of subsistence."

The motion prevailed.

On motion of Senator Megler the bill was referred to the Engrossing Committee.

Senate bill No. 79, by Senator David Miller, an act to preserve from pollution the water supplied to the inhabitants of cities and towns in the State of Washington, to declare what are nuisances in the vicinity of the source of such water supply, providing for the abatement thereof, and for the punishment of the violations of this act, was placed on its final passage and passed by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Hamilton, Hammer, High, Keith, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Runner, Schofield, Van Patten, and Yeend—23.

Nays: None.

Absent or not voting were: Senators Clapp, Davis, Hall, Hemrich, Hill, LeCrone, Plummer, Reinhart, Warburton, Wilshire, and Wooding—11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 65, by Judiciary Committee, was read the third time by sections.

On motion of Senator Mantz the word "off" was stricken from line 2, section 1.

Senator Preston moved to amend by striking the word "any," after the word "of," in line 2, section 1, and inserting in lieu thereof the word "such."

The motion prevailed.

On motion of Senator Van Patten the bill was referred to the Engrossing Committee.

Senate bill No. 183, by Senator Yeend, requiring that all sentences of less than one year, imposed for any crime, shall be served in the county jail, was read the third time by sections.

On motion of Senator Yeend the bill was recommitted.

Senator T. J. Miller moved that the Senate do now adjourn.

The motion was lost.

Senator Megler moved that the Senate resolve itself into a committee of the whole for the consideration of Senate bills Nos. 9, 20, 6, 41 and 30.

The motion prevailed and the Senate went into committee of the whole, with Senator Van Patten in the chair.

The president resumed the chair.

The following message was received from the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 24, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate concurrent resolution No. 9, entitled "An act relating to the boundary line between the States of Washington and Oregon."

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate resolution relating to the First Washington Volunteers killed and wounded in battle at Manila February 4th and 5th, 1899, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above Senate resolution.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate concurrent resolution No. 9, relating to the question of the boundary lines between the states of Oregon and Washington, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above Senate concurrent resolution No. 9.

The Senate went again into Committee of the Whole, Senator Van Patten in the chair.

The Committee arose and reported back to the Senate with the recommendation that the bills do pass with the following amendments:

Amend Senate bill No. 9 as follows: Strike "commission" in line 1, section 1, and insert "Board of Fish Commissioners" in lieu thereof. Strike all after the word "appropriated" in line 3, section 2.

Amend Senate bill No. 20, as follows: Strike the word "that" and the words "fish commission" in line 1, section 1, and insert after the word "the" "Board of Fish Commissioners." Strike all enclosed in parenthesis. Strike "commission" in line 4, section 1, and insert in lieu thereof "commissioners."

Amend Senate bill No. 6, as follows: Strike the word "that" and the words "fish commission" in line 1, section 1, and insert after the word "the" in said line "Board of Fish Commissioners." Strike all enclosed in parenthesis in said section. Strike "commission" in line 4, section 1, and insert in lieu thereof "commisioners." Strike all after the word "appropriated" in line 3, section 2.

Amend Senate bill No. 41, as follows: Strike the word "that" and the words "fish commission" in line 1, section 1, and insert after the word "the" "Board of Fish Commissioners." Strike all enclosed in parenthesis in section 1. Strike "commission" in line 4, section 1, and insert in lieu thereof "commissioner." Strike "commission" in line 6, section 1, and insert in lieu thereof "commissioners."

Amend Senate bill No. 30, as follows: Strike the word "that" and the words "fish commission" in line 1, section 1, and insert after the word "the" in said line "Board of Fish Commissioners." Strike all enclosed in Parenthesis in said section. Strike "commission" in line 4, and insert in lieu thereof "commissioners." Strike all after the word "appropriated" in line 3, section 2.

On motion of Senator Megler the report was adopted.

Senator Megler moved that the reading of the bills in Committee of the Whole be considered the third reading.

The motion prevailed.

On motion of Senator David Miller the Senate adjourned at 4:05, until tomorrow at 10 A. M.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FORTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, February 25, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Davis, Hemrich, Paul, Plummer, Reinhart, Runner, and Wilshire, who were excused.

The journal of yesterday was read and approved.

The following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 25, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 27, entitled "An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, repealing an act entitled 'An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency,' approved March 9, 1893, and declaring an emergency," with the following amendments: In the title, line 2, strike out all after the word "thereof," down to and including the figures "1893" in line 4; strike out all of section 12 of the act; section 8, line 1, after the word "existing" insert the word "law;" and the same is herewith transmitted as amended.

The House has passed House bill No. 438, entitled "An act providing for the construction of fish hatcheries, and making appropriation therefor," and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, February 24, 1899.

MR. PRESIDENT :

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 78, entitled "An act to amend section one of Chapter XLV of the Session Laws of 1897, entitled "An act for the protection of persons working in coal mines," approved March 6, 1897, have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, H. Preston.

OLYMPIA, February 25, 1899.

MR. PRESIDENT :

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 20, entitled "An act to establish and maintain a fish hatchery on the Snohomish river or one of its tributaries, and appropriating funds therefor, have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, H. Preston.

OLYMPIA, February 25, 1899.

MR. PRESIDENT :

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 9, entitled "An act to establish a fish hatchery on the waters of Willapa Harbor and making an appropriation for the same," have had same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, H. Preston.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 30, entitled "An act to establish and maintain a fish hatchery on the Nooksack river or one of its tributaries, and appropriating funds therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, H. Preston.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 41, entitled "An act to establish and maintain a fish hatchery on the Wenatchee river or one of its tributaries, and appropriating funds therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, H. Preston.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 65, entitled "An act permitting counties, cities or towns to invest surplus sinking funds in bonds or warrants, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, H. Preston.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your committee on Engrossed Bills, to whom was referred Senate bill No. 6, entitled "An act to establish and maintain a fish hatchery on the Skohomish river or one of its tributaries, and appropriating funds therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 101, entitled "An act relating to drugs and medicines, the licensing of persons to compound, dispense, buy and sell the same in the State of Washington, defining crimes and misdemeanors and prescribing penalties, etc." have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

We concur in this report: C. A. Mantz, Harold Preston.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 22, entitled "An act to establish the legal rate of interest in the State of Washington, and to prevent usury," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by inserting a new section, which is to be section 5, as follows:

SEC. 5. It shall be the duty of every public officer issuing public warrants to make monthly investigation to ascertain the market value of the current warrants issued by him, and he shall, so far as practicable, fix the rate of interest (not in any event, however, exceeding the maximum rate hereinbefore established therefor) on the warrants issued by him during the ensuing month, so that the par value shall be the market value thereof.

And that the title be amended so as to read as follows: "An act to establish the legal rate of interest in the State of Washington, to prevent usury and to provide for the establishment of the rate of interest on public warrants," and that the number of the present section 5 be changed to 6 and the subsequent sections renumbered accordingly.

Respectfully submitted.

HERMAN D. CROW, Chairman.

We concur in this report: John H. Carper, Geo. D. Schofield, John I. Yeend, Harold Preston, C. A. Mantz, S. Warburton, F. M. Baum.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 184, entitled "An act to repeal an act entitled 'An act creating a Board of Pilot Commissioners and pilots on the Columbia river and bar,' approved November 29, 1871 (Laws 1871, page 86), and to repeal said act as amended by an act approved November 9, 1877 (Laws 1877, page 297), and further to repeal said act as amended by an act approved February 2, 1888 (Laws 1887-8, page 171)," have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

C F. CLAPP, Chairman.

We concur in this report: Augustus High, L. B. Andrews.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 17, entitled "An act to appropriate for the support of fire departments of each city, town or village in the State of Washington, a part of the premium received by fire insurance companies in any such city, town or village," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass with the following amendments:

Section 1, line 1, after the word "Washington" insert "except cities of the first class."

Section 1, line 3, strike out the word "Auditor" and insert "State Insurance Commissioner."

Section 3, line 1, strike the words "said Auditor," and insert "State Insurance Commissioner."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: D. E. Biggs, C. A. Mantz, Herman D. Crow.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, a minority of your Committee on Corporations other than Municipal to whom was referred Senate bill No. 33, entitled "An act providing for the operation of street cars, and providing a penalty for the violation thereof," having had the same under consideration, beg leave to present the following minority report: that it be indefinitely postponed.

Respectfully submitted.

S. WARBURTON, Chairman.

I concur in this report: Herman D. Crow.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, a majority of your Committee on Corporations other than Municipal to whom was referred Senate bill No. 33, entitled "An act providing for the operation of street cars and providing a penalty for the violation thereof," having had the same under consideration beg leave to present the following majority report: that the bill be placed on general file.

Respectfully submitted.

D. E. BIGGS.

I concur in this report: C. A. Mantz.

Senator Keith moved that the majority report be adopted.

Senator Warburton moved to amend that the reports, together with the bill, be placed on General File.

The motion, as amended, was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 98, entitled "An act to provide for incorporation and to regulate the business of co-operative mining companies," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments:

Section 1, line 3, strike out "and" before "working" and place a comma instead. In same line strike "and" after "mines" and insert "or." Section 1, line 13, strike out proviso. Section 4, line 4, strike "after" and insert "at." Section 4, line 5, after word "which" insert "meeting and thereafter." Section 6, line 1, strike "trustees" and insert "stockholders." Section 6, line 14, strike "trustees" and insert "stockholders." Section 8, line 14, insert after word "receive" "from the corporation." Section 8, line 14, strike "ten" and insert "five." Strike section 18.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: John H. Carper, Herman D. Crow, C. A. Mantz, J. A. Davis, D. E. Biggs.

The report was adopted.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 183, entitled "An act requiring that all sentences of less than one year imposed for any crime shall be served in the county jail," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be amended by the adoption of the attached substitute bill.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Herman D. Crow, John H. Carper, Harold Preston, Geo. D. Schofield, John I. Yeend, F. M. Baum, C. A. Mantz.

The report was adopted.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 21, entitled "An act authorizing and empowering cities of the first, second, third and fourth classes to regulate and license by ordinance the riding of bicycles, tricycles and other like vehicles; to construct, maintain and regulate the use of bicycle paths and roadways; prohibiting the improper use of such paths and roadways, and providing a penalty and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, and be considered at the same time in connection with Senate bill No. 52, as House bill 21 is identical with Senate bill No. 52, except amendments made by the House.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Geo. D. Schofield, Harold Preston, Herman D. Crow, John I. Yeend, F. M. Baum, John H. Carper, C. A. Mantz.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 83, entitled "An act making provision for the incorporation of cemetery associations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: S. Warburton, Herman D. Crow, Geo. D. Schofield.

The report was adopted.

OLYMPIA, February 24, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 179, entitled "An act relating to fees paid by corporations to the Secretary of State for filing articles of incorporation and other services relating to corporations and repealing an act entitled 'An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state and declaring an emergency,' approved March 13, 1897 and remitting all unpaid penalties and fees which have accrued under provisions of said act, approved March 13, 1897 and declaring an emergency,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on General File.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Herman D. Crow, John H. Carper, D. E. Biggs, C. A. Mantz.

The report was adopted.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Commerce to whom was referred Senate bill No. 205, entitled "An act relating to the sale of allotted lands by Indians," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. F. CLAPP, Chairman.

We concur in this report: Augustus High, L. B. Andrews.

The report was adopted.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, February 23, 1899.

To the Honorable the Senate of the State of Washington:

GENTLEMEN—I have the honor to submit herewith an appointment made during this session of the Legislature, not heretofore reported to you for confirmation:

STATE BOARD OF HEALTH AND BUREAU OF VITAL STATISTICS.

Dr. J. S. McIlhaney, Everett, Washington, appointed for the term

ending December 30, A. D. 1903, vice J. F. Cropp, M. D., of Walla Walla, Washington, term expired.

Yours respectfully,

J. R. ROGERS, Governor.

Senator David Miller moved that confirmation of the appointment be made in open session.

The motion prevailed and the Senate confirmed the appointment by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Preston, Schofield, Van Patten, and Wooding — 23.

Nays: None.

Absent or not voting: Senators Baum, Biggs, Davis, Hemrich, Paul, Plummer, Reinhart, Runner, Warburton, Wilshire, and Yeend — 11.

OLYMPIA, February 25, 1899.

To the Honorable Legislature of the State of Washington:

GENTLEMEN—I am requested by the Honorable Robert Bridges, Commissioner of Public Lands of the state, to bring to your attention the delinquency of the University of Washington, in the matter of the payment of interest due the state.

The communication of the commissioner is herewith submitted with the hope that you may be able to devise some method of settlement.

Respectfully submitted, J. R. ROGERS, Governor.

STATE OF WASHINGTON,

OFFICE OF COMMISSIONER OF PUBLIC LANDS.

OLYMPIA, February 24th, 1899.

To the University of Washington, care J. R. Rogers, Governor:

The records of this office show that you are delinquent in payment of interest due on your contract, No. 1351, for the purchase of school lands from the state, as shown by the following statement:

Interest due October 11, 1898..... \$8,451 12

You will be required to pay delinquent interest on the above amount at six per cent. per annum from date due until paid.

If all interest due is not paid within six months from date same became due, said contract will be cancelled on the records of this office.

I herewith enclose blank application and bid of lease of lands held under contract from the state where improvements have been placed on such lands held under contract. You will note the provisions of law governing the lease of such lands, which will be found on the back of such application.

Respectfully, ROBERT BRIDGES, Commissioner.

N. B.—No part of the principal has ever been paid on this contract.

On motion of Senator Preston, the communication was referred to the Committee on Judiciary.

The following resolution was offered by Senator Mantz:

Be it Resolved, That the sergeant-at-arms be and is hereby instructed to furnish each of the Senators, the president and secretary, two dollars worth of stamps.

On motion of Senator Mantz, the resolution was adopted.

INTRODUCTION AND READING OF BILLS.

Senate bill No. 228, by Senator McReavy: An act for the relief of D. B. Waid as State Immigration Agent and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriation.

Senate bill No. 229, by Senator Baker: An act to amend an act entitled "An act accepting the terms of an act of congress approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of said grants therein making an appropriation therefor and declaring an emergency, approved March 22, 1895," and to amend an act entitled 'An act to amend an act entitled: "An act accepting the terms of an act of Congress approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid lands etc.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 230, by the Judiciary Committee: An act empowering the Board of State Land Commissioners to relinquish to the United States selected lands to which the title of the state has failed, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and the rules further suspended and the bill read the third time and made a special order for February 27th, at 11 A. M.

Senate bill No. 231, by the Judiciary Committee: An act limiting the time in which appeals from the Board of State Land Commissioners to the Superior Court shall be prosecuted.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 232, by the Judiciary Committee (substitute for Senate bill No. 183): An act fixing the minimum sentence of imprisonment in the State Penitentiary.

The bill was read the first time by title; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title; the rules further suspended, the bill read the third time; and, on motion of Senator Crow, the bill was placed on its final passage, and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Baker, Davis, Hemrich, Hill, LeCrone, Miller David, Paul, Plummer, Reinhart, Runner, and Wilshire — 11.

On motion of Senator Preston, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 233, by Senator Van Patten (by request). An act limiting and repealing all acts or all portions of acts authorizing the granting of licenses for the sale of intoxicating liquors, and providing for the further regulation, restraint or prohibition of the manufacture and traffic in intoxicating liquors under a system of state control thereof, prescribing penalties for the violating of the same, and providing for a special election for the purpose of ascertaining the sentiment of the qualified electors in favor or against the same.

The bill was read the first time; and, on motion of Senator Van Patten, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

Senate bill No. 234, by Senator Biggs (by request): An act relating to the fiscal affairs of the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Biggs, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 438, by Committee on Fisheries and Game (substitute for House bills Nos. 62, 67 and 210): An act provid-

ing for the construction of fish hatcheries, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to the Committee on Fisheries.

THIRD READING OF BILLS.

Senate bill No. 101, by Senator LeCrone, "An act to regulate the practice of pharmacy, and to repeal Laws 1891, p. 372 (Bal. Code, Secs. 3034-40, 3042-49); Laws 1893, p. 272 (Bal. Code, Sec. 3041)," was placed on its final passage, and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Preston, Schofield, Van Patten, Wooding, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Biggs, Davis, Hemrich, Mantz, Paul, Plummer, Reinhart, Runner, Warburton, and Wilshire — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator LeCrone, the rules were suspended, and the bill ordered immediately transmitted to the House.

On motion of Senator Schofield, Senate bill No. 172 was recommitted.

Senate bill No. 78, by Committee on Labor and Labor Statistics, concerning the Coal Mine Inspector, was placed on its final passage, and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hamilton, Hammer, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Baker, Davis, Hall, Hemrich LeCrone, Miller David, Paul, Plummer, Reinhart, Runner, and Wilshire — 11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Land, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 65, by Judiciary Committee: permitting counties, cities or towns to invest surplus sinking funds in bonds or warrants, and declaring an emergency, was placed on its final passage and passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton Wooding and Yeend—24.

Absent or not voting: Senators Baker, Davis, Hemrich, LeCrone, Miller David, Paul, Plummer, Reinhart, Runner, and Wilshire—10.

The emergency clause passed by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton, and Wooding—23.

Those absent or not voting were: Senators Baker, Davis, Hemrich, LeCrone, Miller David, Paul, Plummer, Reinhart, Runner, Wilshire, and Yeend—11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator High the rules were suspended and the bill ordered immediately transmitted to the House.

On motion of Senator Keith, the rules were suspended and Senate bill No. 142 ordered immediately transmitted to the House.

Senate bill No. 9, by Senator Megler, an act to establish a fish hatchery on the waters of Willapa harbor, and making an appropriation for the same, was placed on its final passage and passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton and Wooding—24.

Absent or not voting: Senators Baker, Davis, Hemrich, Miller David, Paul, Plummer, Reinhart, Runner, Wilshire, and Yeend — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Megler the rules were suspended and the bill ordered immediately transmitted to the House.

Senate bill No. 20, by Senator Davis, An act to establish and maintain a fish hatchery on the Snohomish river or one of its tributaries, and appropriating funds therefor, was placed on its final passage and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton, and Wooding — 24.

Nays: None.

Absent or not voting: Senators Baker, Davis, Hemrich, Miller David, Paul, Plummer, Reinhart, Runner, Wilshire, and Yeend — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Keith, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 6, by Senator McReavy, An act to establish and maintain a fish hatchery on the Skokomish river or one of its tributaries, and appropriating funds therefor, was placed on its final passage and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton, and Wooding — 23.

Nays: None.

Absent or not voting: Senators Baker, Davis, Hemrich, LeCrone, Miller David, Paul, Plummer, Reinhart, Runner, Wilshire, and Yeend — 11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator McReavy, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 41, by Senator Baum, an act to establish and maintain a fish hatchery on the Wenatchee river or one of its tributaries, and appropriating funds therefor, was placed on its final passage and passed by the following vote: Yeas 21, nays none, absent or not voting 13.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, and Wooding—21.

Absent or not voting were: Senators Baker, Davis, Hemrich, Hill, LeCrone, Miller David, Paul, Plummer, Reinhart, Runner, Warburton, Wilshire, and Yeend—13.

There being no objections the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baum, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 30, by Senator Biggs, an act to establish and maintain a fish hatchery on the Nooksack river or one of its tributaries, and appropriating funds therefor, was placed on its final passage and passed by the following vote; Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Preston, Schofield, Van Patten, Warburton, Wooding, and Yeend—23.

Absent or not voting: Senators Baker, Davis, Hemrich, LeCrone, Miller David, Paul, Plummer, Reinhart, Runner, and Wilshire—11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Biggs, the rules were suspended and the bill ordered immediately transmitted to the House,

Senate bill No. 189, by Committee on Labor and Labor Statistics, "An act to authorize the Commissioner of Labor to mediate in labor troubles and in his discretion to form boards of arbitration for the settlement of such troubles," was read the third time, and on motion of Senator Land, was placed on its

final passage and failed to pass by the following vote: Yeas 9, nays 10, absent or not voting 15.

Those voting yea were: Senators Carper, Cole, High, Hill, Keith, Land, Mantz, Miller David, and Van Patten—9.

Those voting nay were: Senators Andrews, Baum, Hall, Hamilton, LeCrone, McReavy, Miller T. J., Preston, and Yeend—10.

Absent or not voting were: Senators Baker, Biggs, Clapp, Crow, Davis, Hammer, Hemrich, Paul, Plummer, Reinhart, Runner, Schofield, Warburton, Wilshire, and Wooding—15.

Senator T. J. Miller gave notice that at the proper time he would move to reconsider the vote by which the bill failed to pass.

Senate bill No. 106, by Senator Biggs, an act relating to foreign corporations, and imposing a penalty and repealing conflicting laws, was read the third time, and on motion of Senator Preston, was referred to the Engrossing Committee.

Senate bill No. 150, by Judiciary Committee, an act in relation to landlord's liens, was placed on its final passage and passed by the following vote: Yeas 19, nays 2, absent or not voting 13.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Crow, Hall, Hamilton, Hammer, Keith, Mantz, McReavy, Megler, Miller David, Preston, Schofield, Warburton, Wooding, and Yeend—19.

Those voting nay were: Senators Cole, and Land—2.

Absent or not voting were: Senators Baker, Davis, Hemrich, High, Hill, LeCrone, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, and Wilshire—13.

There being no objection, the title to the bill was ordered to stand as the title of the act.

On motion of Senator Biggs, the rules were suspended, and the bill immediately transmitted to the House.

On motion of Senator Keith the Senate adjourned at 12 M. until 10:30 A. M. Monday.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTIETH DAY.**MORNING SESSION.**

SENATE CHAMBER,
 OLYMPIA, WASHINGTON, Monday, February 27, 1899, }
 10:30 o'clock A. M.

President Daniels called the Senate to order at 10:30 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Plummer, Reinhart and Van Patten, who were excused.

On motion of Senator Wooding the reading of the journal of Saturday was dispensed with and the journal approved.

Senate bill No. 152, by Senator Davis, an act to prevent "blacklisting," was placed on its final passage and passed by the following vote: Yeas 25, nays none, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton. Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller David, Miller T. J., Paul, Preston, Runner, Schofield, Wooding, and Yeend — 25.

Nays: None.

Absent or not voting were: Senators Biggs, Hemrich, High, Megler, Plummer, Reinhart, Van Patten, Warburton, and Wilshire — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Davis the rules were suspended and the bill ordered immediately transmitted to the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
 OLYMPIA, WASH., February 24, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 106, entitled "An act relating to foreign corporations and imposing a penalty, and repealing conflicting laws," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: Harold Preston.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bills of Frederick, Nelson & Munro, \$4.00 for one stool, and J. C. Percival, 45 cents freight charges, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they be allowed in full.

Respectfully submitted.

E. C. KEITH, Chairman.

I concur in this report: J. A. Davis.

The report was adopted.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 97, entitled "An act to provide for the payment of taxes by the owners of sleeping cars, drawing-room cars and parlor cars," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

[If this bill is constitutional I believe it should pass, and do not concur.]

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: Thos. J. Miller, Ed. S. Hamilton, Geo. D. Schofield, David Miller, C. F. Clapp.

The report was adopted.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 113, entitled "An act to regulate and establish reasonable rates of compensation for the carrying of freight or express matter by express companies doing business within this state, and fixing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

[We do not concur in this report:]

W. E. RUNNER, Chairman.

Thos. J. Miller.

We concur in this report: Ed. S. Hamilton, Geo. D. Schofield, C. F. Clapp.

On motion of Senator Runner the bill with the report was placed on general file.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 166, entitled "An act regulating common carriers and providing for the transportation of freight and cars from one point in this state to another point in this state, whether over one line or over two or more lines of railroad within this state, prohibiting discrimination by railroad companies and other common carriers and for

the due enforcement and observance of this act and the division of through rates, issue of through bills of lading and interchange of cars and business, and requiring common carriers operating railroads to furnish cars to shippers for transportation over its own and connecting road, and to receive and transport cars, and to unload, discharge and return the same, and to receive and bill freight in carload lots, to points beyond its own line of road, and providing for the receiving, transferring and forwarding of freight and cars, and interchange of loaded cars, and the making of joint rates for through shipment when a part of the haul is over one and part on the other of two or more connecting lines of railroad, and providing for a penalty for the violation of this act," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

GEO. D. SCHOFIELD.

We concur in this report: Thos. J. Miller, W. F. Clapp.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

The undersigned, a minority of your Committee on Railroads and Transportation, to whom was referred Senate bill No. 166, entitled "An act regulating common carriers, and providing for the transportation of freight and cars from one point in this state to another point in this state, whether over one line, or two or more lines of railroad within this state, prohibiting discrimination by railroad companies and other common carriers, and for due enforcement and observance of this act and the division of through rates, issue of through bills of lading and interchange of cars and business, and requiring common carriers operating railroads to furnish cars to shippers for transportation over its own and connecting road, and to receive and transport cars, and to unload, discharge and return the same, and to receive and bill freight in carload lots to points beyond its own line of road, and providing for the receiving, transferring and forwarding of freight and cars, and interchange of loaded cars, and the making of joint rates for through shipment when a part of the haul is over one and part on the other of two or more connecting lines of railroad, and providing for a penalty for violation of this act," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass

Respectfully submitted,

ED. S. HAMILTON, Chairman.

On motion of Senator Hamilton, the reports and the bill were placed on general file.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 218, entitled "An act amending section 12 of an act entitled 'An act providing for the survey and establishment of a state road; creating a commission, defining its duties, and making an appropriation

therefor, and declaring an emergency,' approved March 18, 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendment: Amend section 1 to read: "For the purpose of completing the state wagon road from Buckley to Yakima there is hereby appropriated out of funds in the state treasury not otherwise appropriated the sum of twenty thousand dollars, or as much thereof as may be necessary."

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: J. G. Megler, G. H. Baker, Augustus High, C. A. Mantz, John Wooding.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred House bill No. 148, entitled "An act to provide for the payment of expenses incurred in compliance with an act entitled 'An act to provide for construction and maintenance of dikes and drains, etc.,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

E. HAMMER, Chairman.

I concur in this report: John McReavy.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred House bill No. 25, entitled "An act relating to drainage districts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

E. HAMMER, Chairman.

I concur in this report: John McReavy.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 137, entitled "An act regulating the manufacture of dairy produce, to prevent deception or fraud in the sale of the same, or imitations thereof; providing for the appointment of a dairy commissioner and defining his duties; creating a state board of dairy commissioners and defining their duties, imposing certain duties upon the chemists of state institutions, providing penalties for violations of this law; making an appropriation, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

In the title, strike "and declaring an emergency," printed bill.

Section 2, line 4, printed bill, strike "and," insert in lieu "or."

Section 6, line 4, printed bill, transpose words "half pure," making it read "pure half."

Section 13, line 7, printed bill, strike all after "article;" strike all of line 8, and the word "food" in line 9.

Same section, line 7, after "article," insert "for analysis."

Section 23, line 2, printed bill, strike "state dairy commissioners," insert in lieu "general."

Section 25, line 3, printed bill, strike "whoever violates," insert in lieu, "any person violating."

Section 26, line 18, printed bill, strike "providing," insert "provided."

Section 27, line 2, printed bill, strike "whoever," insert "any person who."

Section 28, line 6, printed bill, strike "whoever violates," insert "any person violating."

Section 29, line 3, strike "applied to the dairy commissioners," and all of line 4, insert in lieu, "placed in the general fund."

Section 30, line 7, printed bill, strike "state dairy commissioner," insert "general."

Section 31, line 10, printed bill, strike "whoever violates," insert "any person violating."

Strike section 34.

As so amended, the bill do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: Joseph Hill, Augustus High, Geo. H. Baker.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds to whom was referred Senate bill No. 222, entitled "An act amending sections one and three of 'An act to provide for the location and erection of a Capitol building and providing an appropriation therefor, and declaring an emergency,' approved March 21, 1893," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

In line 16 of the printed bill strike out the words "E. M. Wilson of Whatcom county" and insert in lieu thereof "A. A. Phillips of Thurston county."

And that as so amended the bill do pass.

Respectfully submitted.

JOHN McREAVY.

We concur in this report: J. A. Cole, Thos. J. Miller.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 230, entitled "An act empowering the Board of State Land

Commissioners to relinquish to the United States selected lands to which the title of the state has failed, or shall fail, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to which was referred House bill No. 186, entitled "An act repealing an act entitled 'An act establishing a Board of Pardons and defining its duties, and declaring an emergency,' approved March 6, 1897, and an act entitled 'An act to amend section 1 of an act entitled "An act establishing a Board of Pardons and defining its duties, and declaring an emergency," approved March 11, 1897,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the same do pass.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report: S. Warburton, Daniel Paul, Herman D. Crow, Paul Land.

The report was adopted.

OLYMPIA, February 27, 1899.

To the President of the Senate and Speaker of the House:

We, the undersigned joint committee of the Senate and House of Representatives, appointed for the purpose of considering the judiciary districts of the state and preparing a report on the bill dividing the state into judiciary districts, herewith submit the following which we have prepared, and recommend that said bill be passed.

HERMAN D. CROW, Chairman,
AUGUSTUS HIGH,
C. A. MANTZ,
Senate Committee.

W. BYRON DANIELS, Chairman,
R. S. LAMBERT,
J. M. PARRISH,
E. K. PENDERGAST,
House Committee.

The report was adopted.

A telegram dated at Tacoma was received from Senator Plummer, stating that he had just received news by wire that his residence in Spokane was on fire, and requesting that he be excused for an indefinite time.

The request was granted.

The president signed Senate resolution, relating to the death of the wife of the Hon. Will D. Jenkins, Secretary of State.

THIRD READING OF BILLS.

Senate bill No. 320, by Judiciary Committee, empowering the State Board of Land Commissioners to relinquish to the United States selected lands to which the title of the state has failed, and declaring an emergency, was placed on its final passage and passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Runner, Schofield, Wilshire, Wooding and Yeend—27.

Absent or not voting: Senators Baker, Davis, Hammer, Plummer, Reinhart, Van Patten and Warburton—7.

The emergency clause passed by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Preston, Runner, Schofield, Wilshire, Wooding and Yeend—26.

Absent or not voting were Senators Baker, Davis, Hemrich, Miller T. J., Plummer, Reinhart, Van Patten and Warburton—8.

On motion of Senator Preston the title was amended by inserting in line 2 after the word “failed” “or shall fail.”

Senate bill No. 106, by Senator Biggs, bill to provide a penalty for failure by foreign corporations to file articles, etc., as required by Laws 1890, p. 288 (Bal. Code, secs. 4291–93), was placed on its final passage and passed by the following vote: Yeas 24, nays 1, absent or not voting 9.

Those voting yea were: Senators Baum, Biggs, Carper, Clapp, Cole, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Schofield, Warburton, Wooding and Yeend—24.

Senator Preston voted nay.

Absent or not voting: Senators Andrews, Baker, Crow, Hall, Plummer, Reinhart, Runner, Van Patten and Wilshire—9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Biggs the rules were suspended and the bill ordered immediately transmitted to the House.

The following messages were received from the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 27, 1899.

MR. PRESIDENT:

The House has passed House bill No. 500, entitled "An act to authorize and permit the order of the Grand Army of the Republic, a patriotic order, and also the order of the Sons of Veterans, a patriotic order, in the State of Washington, to use the great seal of the State of Washington, and such other appropriate designs pertaining to said state, in the making of medals to be presented by and under the auspices of either one or both of said orders, to the officers and members of the United States volunteer troops from the State of Washington who have been in active service in the war with Spain, and declaring an emergency."

Also, Memorial No. 9, memorializing the United States Congress to favor legislation relative to the improvement of the Columbia river at certain places.

The House has passed House bill No. 147, entitled "An act to provide for laying out and establishing private ditches and drains."

Also, House bill No. 305, entitled "An act to amend section 5 of an act entitled 'An act to provide for the establishment and creation of dike districts, and the construction and maintenance of a system of dikes, and to provide the means of the payment thereof, and declaring an emergency,' approved March 20, 1895."

Also, House bill No. 417, entitled "An act relating to justice of the peace and constables in cities of the first class and fixing their number and salaries, and providing for making one of the justices elected in such cities a police justice and defining his duties, jurisdiction and power."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

INTRODUCTION OF BILLS.

Senate bill No. 235, by Senator Preston: An act requiring the right-of-way of railroads to be fenced, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time and referred to the Committee on Judiciary—referred to Agriculture.

Senate bill No. 236, by Senator Preston: An act relating to the filing and recording of mixed, chattle and real estate mortgages in the State of Washington, and curative provisions relative thereto.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 237, by Senator Preston (by request): An act regulating the making of findings of facts and conclusions of law in the Superior Courts of the State of Washington; appealing from judgments rendered therein, and repealing all acts and parts of acts in conflict herewith, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Preston the rules were suspended, the bill read the second time by title and referred to the Committee on Judiciary.

Senate bill No. 238, by Senator Baker: An act providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from a point on the county road which was from Washougal, Clark county, Washington to Cape Horn in Skamania county, Washington, about two miles east of Washougal in Clark county, Washington, thence easterly along the north bank of the Columbia river above high water mark to a point of intersection with the Lyle and Goldendale county road at or near the mouth of the Klickitat river in Klickitat county, Washington, creating etc.

The bill was read the first time; and, on motion of Senator Baker the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

Senate bill No. 239, by Senator Biggs: An act providing for validating leases heretofore made by cities or towns of streets, or portions thereof, upon the waterfront, within or in front, of cities or towns, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Biggs, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 240, by Senator Keith: An act regulating the making of findings of facts and conclusions of law in the superior courts of the State of Washington, appealing from judgments rendered thereon, and repealing all acts or parts of acts in conflict herewith and declaring an emergency.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 241, by Senator Davis: An act to prohibit the indiscriminate use of drugs and providing a penalty.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the committee on Medicine, Dentistry, Surgery and Hygiene.

Senate bill No. 242, by Special Committee: An act in relation to superior courts and the election and appointment of superior court judges.

The bill was read the first time; and on motion of Senator ———the rules were suspended, the bill read the second time by title, and placed on general file.

Senate bill No. 243, by Senator Hamilton: An act amending section 1 of chapter CLIV of the laws of 1891, being section 3837 of Ballinger's Annotated Statutes and Codes of Washington, authorizing county commissioners to build bridges across navigable streams and to construct and maintain roads, docks, or wharves over and across all tide lands in this state.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 244, by Senator Keith: An act defining official newspapers and providing what shall be published therein, and the manner in which they shall be selected, and providing for liabilities for violating any of the provisions of this act.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Printing.

Senate bill No. 245, by Senator Preston: An act relating to the laws of libel, and providing for opportunity of retraction of libel.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 246, by Senator Wooding: An act making it unlawful for minors under the age of sixteen years to have in their possession, carry or hunt with fire arms.

The bill was read the first time; and, on motion of Senator Wooding, the rules were suspended, the bill read the second time by title, and referred to the Committee on Military.

Senate bill No. 247, by Senator Wilshire: An act to regulate the sale of spectacles and eye-glasses, and providing the punishment for the violation thereof.

The bill was read the first time; and, on motion of Senator Wilshire, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

Senate bill No. 248, by Senator Yeend: An act to amend sections one (1), two (2) and three (3), and to repeal section seven (7) of an act entitled "An act appropriating money for the purchase of materials and regulating the manufacture and sale of jute and other fabrics and brick at the State Penitentiary," approved March 9, 1893 (Laws 1893, p. 212), and declaring an emergency.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 249, by Senator Cole: An act making appropriations for legislative expenses.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee of the Whole.

Senate bill No. 250, by Senator Baum: An act relating to marks and brands, and amending section 2497, Hill's Code, Vol. 1.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

Senate bill No. 251, by Senator Land (by request): A bill for an act to be entitled "An act fixing the salary of the warden of the State Penitentiary, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

Senate bill No. 252, by Senator Andrews: An act to prevent the bringing of pauper children into the State of Washington.

The bill was read the first time; and, on motion of Senator Andrews, the rules were suspended, the bill read the second time by title, and referred to the Committee on Public Morals.

House bill No. 186, by Mr. Callvert: An act repealing an act

entitled "An act establishing a Board of Pardons and defining its duties, and declaring an emergency," approved March 6th, 1897, and an act entitled "An act to amend section 1 of an act entitled 'An act establishing a Board of Pardons and defining its duties, and declaring an emergency,' " approved March 11th, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 18, by Senator Biggs, providing for the submission of a constitutional amendment to Constitution, art. 7, section 2, empowering the legislature to exempt \$300 in personal property from taxation, was read third time by sections.

Senator Warburton moved to amend by striking "three hundred (\$300.00)" in line 11, section 1, and insert in lieu thereof "two hundred (\$200.00).

The motion was lost.

Senator Yeend moved to reconsider the vote by which the word "of" was stricken and the words "not less than" inserted in line 11, section 1.

The motion prevailed.

Senator High moved the adoption of the following amendment:

Amend by striking out all of section 1 after the words "provided further," in line 10, and insert in lieu thereof: The legislature shall provide by law for an exemption of personal property from taxation to the amount of three hundred (\$300) dollars to each person who shall at the time of assessment, subscribe to a sworn statement that he is unable by reason of poverty or other misfortune, to pay his just proportion of tax.

The motion was lost.

Senator Schofield moved that House bill No. 17 be taken up and considered instead of Senate bill No. 18.

The motion prevailed.

The secretary read the majority and minority reports of the Committee on Revenue and Taxation, on House bill No. 17.

On motion of Senator Baum the reports were indefinitely postponed.

The bill was read by sections. Senator Land moved to amend

section 1, by striking "to exceed three" in line 15, and insert in lieu thereof "less than one."

Senators Land, Davis, Crow, Hamilton, LeCrone and T. J. Miller demanded the roll call on the motion, which was lost by the following vote: Yeas 7, nays 24, absent or not voting 3.

Those voting yea were: Senators Cole, Davis, Hill, Land, Mantz, Miller T. J., and Runner — 7.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, High, Keith, LeCrone, McReavy, Megler, Miller David, Paul, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend — 24.

Absent or not voting: Senators Plummer, Reinhart, and Van Patten — 3.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

The House has passed House Concurrent Resolution relating to the appointment of a committee to consist of two members of the Senate and three members of the House, to receive bids for furnishing suitable office rooms for the officers of the state.

Also, House bill No. 351, entitled "An act to change the name of Dog Fish Bay, Kitsap county, State of Washington, to Patterson's Bay, Kitsap county, State of Washington."

Also, House bill No. 423, entitled "An act authorizing cities of the first class to levy and collect assessments upon property benefited by local improvements and declaring an emergency."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

On motion of Senator Keith, the Senate adjourned at 12 M. until 2 P. M.

AFTERNOON SESSION.

The president called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Plummer and Van Patten, who were excused.

On motion of Senator Preston, the rules were suspended and Senate bill No. 230 ordered immediately transmitted to the House.

House bill No. 17 was again taken up.

Senator T. J. Miller moved to amend section 1 by striking "three," in line 15, and insert in lieu thereof the word "five."

Senators Davis, McReavy, LeCrone, Hammer, Wooding and Crow demanded the roll call on the motion, which was lost by the following vote: Yeas 9, nays 23, absent or not voting 2.

Those voting yea were: Senators Cole, Davis, Hill, Land, Mantz, McReavy, Miller T. J., Reinhart, and Runner—9.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, High, Keith, LeCrone, Megler, Miller David, Paul, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend—23.

Absent or not voting: Senators Plummer and Van Patten—2.

Senator Warburton moved to strike "three hundred (\$300)," in line 4, section 1, and insert in lieu thereof "one hundred and fifty (\$150)."

Senator Land moved to lay the motion on the table.

The motion prevailed.

Senate bill No. 5, by Senator Baum, an act providing for the constitutional amendment conferring power upon the Legislature to exempt certain property from taxation, was read the third time by sections.

Senator Baum moved to amend section 1 as follows:

Strike all in sec. 1 after "Provided still further," and insert "That there shall be exempt from taxation to every head of family personal property to the amount of three hundred (\$300) dollars."

The motion was lost.

Senator Baum moved to amend section 1 by striking "person" in line 4, and insert "head of family" in lieu thereof.

The motion prevailed.

Senator Warburton moved to lay on the table.

Senators T. J. Miller, Mantz, Warburton, Megler, Andrews, and Baker demanded the roll call on the motion, which was lost by the following vote: Yeas 8, nays 22, absent or not voting 4.

Those voting yea were Senators Andrews, Baker, Hamilton, Megler, Paul, Preston, Schofield, and Warburton—8.

Those voting nay were: Senators Baum, Biggs, Carper, Crow, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller David, Miller T. J., Reinhart, Runner, Wilshire, Wooding, and Yeend—22.

Absent or not voting, Senators Clapp, Cole, Plummer, and Van Patten — 4.

Senator Schofield moved to substitute for section 1 the following :

SECTION 1. That there shall be submitted to the qualified electors of the State of Washington at the next general election, in November, 1900, for their approval or rejection, the following amendment to the constitution of the State of Washington, which, when ratified by a majority of those voting thereon, shall be valid as a part of the constitution, to-wit : Section 2 of article VII of the constitution of the State of Washington shall be amended so as to read as follows: "Sec. 2. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to his or her or its property: *Provided*, That a deduction of debts from credits may be authorized: *Provided further*, That the property of the United States and the state, counties, school districts, and other municipal corporations, and such other property as the legislature may by general laws provide may be exempt from taxation."

The motion was lost.

Senator Warburton moved to strike "three hundred (\$300)" in line 4, section 1, and insert "one hundred and fifty (\$150)" in lieu thereof.

The motion was lost.

Senator Baum moved that the bill be considered engrossed and placed on its final passage.

The motion prevailed and the bill passed by the following vote: Yeas 26, nays 5, absent or not voting 3.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, LeCrone, Mantz, McReavy, Miller David, Miller T. J., Reinhart, Runner, Schofield, Wilshire, Wooding, and Yeend — 26.

Those voting nay were: Senators Baker, Megler, Paul, Preston, and Warburton — 5.

Absent or not voting: Senators Hill, Plummer, and Van Patten — 3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baum, the rules were suspended, and the bill ordered immediately transmitted to the House.

The following communication was received from the Governor:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 25, 1899.

The Honorable, the Senate of the State of Washington:

GENTLEMEN—I have the honor to submit herewith a list of appointments made during this session of the Legislature, not heretofore reported to you for confirmation:

STATE BOARD OF EDUCATION.

Professor W. J. Meredith, Seattle, Washington, appointed for the term ending the first Monday in March, A. D. 1901, vice Carrie V. S. Rice, of Tacoma, term expired.

Professor J. L. Dumas, Waitsburg, Washington, appointed for the term ending the first Monday in March, A. D. 1901, vice J. H. Morgan, of Ellensburg, term expired.

Professor F. A. Sikes, Colfax, Washington, appointed for the term ending the first Monday in March, A. D. 1901, vice J. B. Walker, of Spokane, term expired.

Professor R. E. Friars, Everett, Washington, appointed for the term ending the first Monday in March, A. D. 1901, vice W. J. Hughes, of Fairhaven, term expired.

Yours respectfully,

J. R. ROGERS, Governor.

Senator Land moved that confirmation of the appointments be made in open session.

The motion prevailed, and the appointments were confirmed by the following vote: Yeas 30, nays none, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Wilshire, Wooding, and Yeend—30.

Absent or not voting: Senators Biggs, Plummer, Van Patten, and Warburton—4.

Senator Wooding introduced the following resolution:

WHEREAS, There are many thousand dollars in the permanent school fund and that fund is constantly increasing, and that the state is receiving no benefit in the way of interest on the above fund; therefore, be it

Resolved, That a committee of three, appointed by the president of the Senate, be instructed to investigate the status of such fund, to ascertain in what form it is and where it is now deposited, and to report within two days to the Senate.

On motion of Senator Wooding, the resolution was adopted.

The following message was received from the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1899.

MR. PRESIDENT:

The House has passed House bill No. 96, entitled "An act to compel railroads to fence their rights-of-way and protect the owners of stock injured by moving railway trains and declaring an emergency."

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

Senate bill No. 190, by Committee on Labor and Labor Statistics, An act to amend sections 2 and 3 of an act entitled "An act creating a bureau of labor, defining its duties, and appropriating money for its maintenance," approved March 3, 1897, being Chapter XXIX, Laws 1897, page 34, was read the third time by sections.

On motion of Senator Davis the bill was placed on its final passage.

The bill passed by the following vote: Yeas 24, nays 6, absent or not voting 4.

Those voting yea were: Senators Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Runner, Wooding, and Yeend—24.

Those voting nay were: Senators Andrews, Hall, Preston, Schofield, Warburton, and Wilshire—6.

Those absent or not voting were: Senators Baker, Hamilton, Plummer, and Van Patten—4.

There being no objections, the title to the bill was ordered to stand as the title of the act.

On motion of Senator Davis, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 144, by Senator McReavy, Amending sections 2808 of volume 1 of Hill's Annotated Codes and Statutes of Washington, concerning the regulating, restraining, licensing or prohibiting the sale of intoxicating liquors, was read the third time by sections.

Senator McReavy moved to amend section 1 by striking "ten (10)" in line 15, and inserting "fifteen (15)" in lieu thereof, and striking "one mile," in line 16 and insert "five miles" in lieu thereof, and striking "more" in line 17, and insert in lieu thereof the word "less."

The motion prevailed.

On motion of Senator McReavy, the bill was referred to the Engrossing Committee.

Senate bill No. 133, by Senator Crow, An act to prevent the removal of fixtures or permanent improvements from real estate which is subject to mortgage or other liens, without the consent of the owner or holder of such liens, and providing a penalty for the violation thereof, was read the third time by sections.

Senator Baum moved to amend section 1 by striking the words "or other," and insert after the word "liens," the words "other than general liens arising under personal judgments."

The motion prevailed.

Senator Mantz moved to insert after the word "improvements," in line 4, section 1, the words "not including crops grown thereon."

The motion prevailed.

On motion of Senator Mantz, the bill was referred to the Engrossing Committee.

Senator Cole moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate bills Nos. 249 and 171.

The motion prevailed, and the Senate went into Committee of the Whole.

President *pro tem.* Senator High in the chair.

The committee arose and reported the bills back to the Senate with the recommendation that Senate bill No. 249 do pass, and that Senate bill No. 171 do pass with the following amendments: Strike the preamble; insert after the word "dollars," in line 2, section 2, the words "or so much thereof as may be necessary."

On motion of Senator Yeend, the report was adopted.

Senator Cole moved that the reading of the bills in the committee be considered their third reading.

The motion prevailed.

On motion of Senator Cole, the rules were suspended, and Senate bill No. 249 placed on final passage.

The bill passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler,

Miller David, Miller T. J., Paul, Reinhart, Runner, Schofield, Warburton, Wilshire, Wooding, and Yeend — 29.

Senator Preston voted nay.

Absent or not voting: Senators Baker, Hemrich, Plummer, and Van Patten — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Cole, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senator Yeend moved that the rules be suspended, and House bill No. 186, "An act repealing an act entitled 'An act establishing a Board of Pardons and defining its duties, and declaring an emergency,' approved March 6, 1897, and an act entitled 'An act to amend section 1 of an act entitled 'An act establishing a Board of Pardons and defining its duties, and declaring an emergency,' approved March 11, 1897, and declaring an emergency,'" be read the third time, and placed on its final passage.

The motion prevailed, and the bill was read the third time, placed on its final passage, and passed by the following vote: Yeas 22, nays 3, absent or not voting 9.

Those voting yea were: Senators Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Schofield, Wooding, and Yeend — 22.

Those voting nay were: Senators Davis, Keith, and Miller T. J. — 3.

Absent or not voting: Senators Andrews, Baker, Plummer, Preston, Reinhart, Runner, Van Patten, Warburton, and Wilshire — 9.

The emergency clause passed by the following vote: Yeas 26, nays 1, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hammer, Hemrich, High, Hill, Kieth, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Schofield, Warburton, Wilshire, Wooding, and Yeend — 26.

Senator Davis voted nay.

Absent or not voting: Senators Baker, Hamilton, Land, Plummer, Preston, Runner, and Van Patten — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Yeend, the rules were suspended, and the bill ordered immediately transmitted to the House.

On motion of Senator High, the Senate adjourned at 4:55 P. M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 28, 1899. }
10 o'clock P. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Biggs, who was excused.

The journal was partly read and on motion of Senator Hamilton the further reading of the journal was dispensed with and the journal approved.

A communication from W. C. Painter, of Walla Walla, relating to the passage of House bill providing for the admission of Indian War Veterans to the Soldiers' Home, was read and ordered placed on file.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 28, 1899.

MR. PRESIDENT:

The House Committee on Miscellaneous Business has recommended the return to the Senate of Senate bill No. 93 for engrossment.

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., February 28, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 171, entitled "An act for the eradication of the Russian and

Canada thistle in the State of Washington, and appropriating money therefor," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 133, entitled "An act to prevent the removal fixtures or permanent improvements from real estate which is subject to mortgage or other liens, without the consent of the owner or holder of such liens, and providing a penalty for the violation thereof," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 144, entitled "An act amending section 2808 of Volume I of Hill's Annotated Codes and Statutes of Washington, concerning the regulating, restraining, licensing or prohibiting the sale of intoxicating liquors," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics to whom was referred Senate bill No. 178, entitled "An act requiring horseshoers to pass civil service examination," have had the same under consideration, and we respectfully report it back to the Senate without recommendation, and ask that it be placed on general file.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: E. Hammer, Thomas J. Miller, S. Warburton.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Senate Memorial No. 8, in reference to light house district No. 13, have had the same under consideration, and we respectfully report the same back to the Senate and recommend its passage.

Respectfully submitted.

W. F. CLAPP, Chairman.

We concur in this report: L. B. Andrews, Augustus High.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Elections and Privileges to which was referred Senate bill No. 59, entitled "An act to amend sections 4 and 15 of

an act entitled 'An act to provide for the registration of voters in all school elections in school districts having a population of ten thousand or more inhabitants, and regulating elections in such districts,' have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

DAN. PAUL.

We concur in this report: J. A. Cole, Andrew Hemrich, Joseph Hill.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT.

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 82, entitled "An act to amend section 5 of an act entitled an act to prescribe the number of senators and representatives of the legislature of the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation, and that the same be placed on general file.

Respectfully submitted.

DAN. PAUL, Chairman.

We concur in this report: J. A. Cole, Andrew Hemrich, Joseph Hill.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bills of Frank Pierce, \$15, for supplies; I. Harris & Sons, \$516.50, for carpets, napier, shades, carpet paper, etc.; O. I. Wood, 75 cts., for repairing door and putting on bolt, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed in full.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 225, entitled "An act to amend section 53 of an act of the legislature of the State of Washington, entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows: Section 1, line 19, strike "six hundred feet in" after "and" and before "width," and in lieu thereof insert "of equal;" also by inserting the word "adjoining" after "such" and before "strip," same line; in line 20 insert "width" after "less" and before "than;" strike "six hundred feet" after "than" and before "a value" and in lieu thereof insert "the

harbor area," same line; strike all after "publication," section 1, line 50, to "that" in line 53; strike all of section 2, and bill do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, W. H. Plummer, S. Warburton, Herman D. Crow, David Miller.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 206, entitled "An act to enlarge and define the powers of unclassified cities within the State of Washington, incorporated by special charter prior to the adoption of the State Constitution," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, W. H. Plummer, S. Warburton, Herman D. Crow, David Miller.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 210, entitled "An act providing for making definite and certain the boundaries of incorporated towns or cities of the fourth class, the boundaries of which are indefinite or uncertain," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, W. H. Plummer, S. Warburton, Herman D. Crow, David Miller.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 112, entitled "An act to amend section 2 of an act entitled 'An act relating to justices of the peace and constables in cities having more than five thousand inhabitants and fixing their number and salaries,' approved March 13, 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, W. H. Plummer, S. Warburton, Herman D. Crow, David Miller.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 113, entitled "An act to amend section 132 of an

act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890, as said section was amended by section 8 of an act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136, of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890, and approved March 9, 1893," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by inserting "he shall receive such compensation," after "same" and before "and," section 1, line 13, and that the bill do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: Geo. D. Schofield, W. H. Plummer, S. Warburton, Herman D. Crow, David Miller.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 135, entitled "An act authorizing incorporated cities and towns to define and provide for the punishment of vagrants, mendicants, prostitutes, fortune-tellers, and all other disorderly persons, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

GEO. D. SCHOFIELD.

I concur in this report: Herman D. Crow.

The undersigned respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. H. Plummer, S. Warburton.

The majority report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to which was referred House bill No. 197, entitled "An act to amend section 1 of an act entitled 'An act in relation to legal holidays,' approved February 25, 1891," have had the same under consideration, and we respectfully report it back to the Senate, with the recommendation that the word "of" be inserted before the word "January," in the seventh line of the engrossed bill, the same as it appears in line 3 of section 1 of the printed bill, and that all of section 1 after the word "holiday," in line 11 of the printed bill, be stricken.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: E. Hammer, Thos. J. Miller, S. Warburton.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred Senate bill No. 212, entitled "An act amending section 1 of an act entitled 'An act relating to the location and establishment of private roads of necessity, and providing for compensation for lands taken therefor,' approved March 19, 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, S. Warburton, F. M. Baum, C. A. Mantz.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred Senate bill No. 125, entitled "An act providing for and regulating the selection of jurors in the Superior Courts of the state; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensations, and providing for their removal from office; declaring certain violations of this act to be contempt of court, and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict herewith," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended, to-wit:

Amend section 1, line 10, by adding after the word "county" the words "from the 1st to the 12th classes, inclusive."

In line 2 strike out the last two words.

In line 3 strick out the words "members of the bar of such court two of such members as jury commissioners" and insert in lieu thereof the words "as jury commissioners two electors of the county chosen by the court from four recommended by the members of the bar of the county, at a bar meeting called by the court for that purpose."

In section 3, line 1, insert before the first word the words "in open court."

In line 6 strike out "29th" and insert "12th."

Section 4, line 1, strike out the word "last" and insert the word "second" twice in the same line.

In line 1, after the word "each," insert "calendar."

In line 5, after the word "ensuing," insert the word "calendar."

In line 6, after the word "three," insert the word "calendar."

In line 20, after the word "ensuing," insert the word "calendar."

Section 11, add the following proviso:

"And provided further, That in counties from the 8th to 12th classes inclusive, the Superior Court, whenever the judge thereof shall be of the opinion that otherwise the administration of justice would be delayed, or that justice would be subserved thereby, may at any time order an open venire or venires to be issued by the clerk of such court for summoning persons to serve as petit jurors in any cause pending in such court, without such stipulation or agreement between the parties to or attorneys in such cause, or

without such stipulation the agreement may order the sheriff to summon from the bystanders a sufficient number to fill any petit jury then being selected in such cause."

Strike out section 16.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, S. Warburton, F. M. Baum, John I. Yeend.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 220, entitled "An act to amend section 1678 of volume 1 of Hill's Annotated Statutes and Codes of Washington relating to liens on boats," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: S. Warburton, Harold Preston, Herman D. Crow, F. M. Baum, C. A. Mantz.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 201, entitled "An act regulating the allotment and expenditure of the road and bridge fund in counties in which there is a city of the first class," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, S. Warburton, F. M. Baum, C. A. Mantz.

The report was adopted.

OLYMPIA, WASH., February 27, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 197, entitled "An act to amend an act entitled 'An act defining a homestead and providing for the manner of the selection of the same,' approved March 13, 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, S. Warburton, F. M. Baum, C. A. Mantz.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 207, entitled "An act providing for the auditing and allowance of expense accounts for the state and county

officers, and providing for penalties for violation thereof," have had the same under consideration, and respectfully report the same back to the Senate, with the recommendation that the bill do pass as amended:

Strike section 2 and insert in lieu thereof the present section 3.

Add to the amended section 2 the following:

"Subscribed and sworn to before me this....day of.....

A. D.....Notary Public

In and for said State of Washington, residing at.....in said state."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: Herman D. Crow, D. E. Biggs, C. A. Mantz.
J. C. Davis,

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 259, entitled "An act to amend section 2054 of the Code of 1881, being section 4569 of Ballinger's Annotated Statutes and Codes of Washington, relating to termination of indefinite or monthly tenancies," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, S. Warburton, F. M. Baum, C. A. Mantz.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 268, entitled "An act providing for the compulsory assignment of mortgages, and regulating such assignments," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, Herman D. Crow, S. Warburton, F. M. Baum, John I. Yeend, C. A. Mantz.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 246, entitled "An act punishing injury to electric wires, etc.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass with the following amendment:

Strike out section 4 of said bill.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: J. A. Davis, Herman D. Crow, C. A. Mantz.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 9, relating to the improvements of the Columbia river, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the memorial do pass.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: S. D. Reinhart, J. C. Van Patten.

The report was adopted.

On motion of Senator Crow, the Senate refused to concur in the House amendments to Senate bill No. 27, by Senator Crow, authorizing the issue and sale of bonds by cities, etc.

Senator Warburton asked for unanimous consent that House bill No. 93, which was indefinitely postponed, be placed on general file.

Unanimous consent was granted.

Senator Plummer asked for unanimous consent that House bill No. 135, which was indefinitely postponed, be placed on general file, which consent was granted.

Senator Preston asked for unanimous consent to amend Senate rule 63 by striking the figures "22" and insert in lieu thereof the figures "20," which consent was granted.

The following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 20, Tribute commendatory of service and ability of Mr. Harry W. Carroll, reading clerk of the House.

Also, Senate bill No. 152, entitled "An act for the protection of employes and to prohibit the practice of blacklisting, and providing penalties for its violation."

Also, passed Senate bill No. 130, entitled "An act providing for a state wagon road beginning at a point on the Columbia river opposite the town of Kettle Falls in Stevens county," etc., with various amendments attached to the bill.

Also, House bill No. 322, entitled "An act making an application to congress."

And the same are herewith transmitted.

Mr. Speaker has appointed Judge Mount of Spokane, Mr. Pratt of King, and Judge Wickersham of Pierce, as conference committee on the part of the House relative to House amendments to Senate bill No. 27, entitled "An act authorizing the issuance and sale of bonds by cities to pay for local improvements.

W. F. DILLON, Chief Clerk.

On motion of Senator Baum, Senate bill No. 130, providing for a state wagon road through Stevens, Okanogan and Skagit counties, was referred to the Committee on Judiciary.

Senate bill No. 171, by Committee on Agriculture, an act to provide for the destruction of Canada and Russian thistles, and to appropriate \$5,000 therefor, was placed on its final passage and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators High, Hill, Miller David, and Warburton — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hall, the rules were suspended, and the bill ordered immediately transmitted to the House.

House concurrent resolution No. 20, tribute commendatory of service and abilities of Mr. Harry Carroll, reading clerk of the House, was read by the secretary.

On motion of Senator Davis, the resolution was laid on the table.

House concurrent resolution No. 21, relating to the securing of offices for the state officers for the ensuing two years, was read by the secretary.

The resolution was adopted.

Senate bill No. 133, by Senator Crow, "An act to prevent the removal of fixtures or permanent improvements from property on which there is a mortgage or lien penalty," was placed on final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Baker, Biggs, Hamilton, Plummer, and Runner — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Crow, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 144, by Senator McReavy, "An act to amend section 1, Laws 1888, relating to the power of county commissioners to license liquor selling," was placed on final passage, and passed by the following vote: Yeas 21, nays 4, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Crow, Davis, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Schofield, and Wilshire — 21.

Those voting nay were: Senators Carper, Hall, Hammer, and Van Patten — 4.

Absent or not voting: Senators Cole, Hamilton, Land, Plummer, Reinhart, Runner, Warburton, Wooding, and Yeend — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator McReavy, the rules were suspended, and the bill ordered immediately transmitted to the House.

GENERAL FILE.

Senate bill No. 222, by Senator T. J. Miller, "An act amending sections 1 and 3 of 'An act to provide for the location and erection of a capitol building and providing an appropriation therefor, and declaring an emergency,' approved March 21, 1893," was read the third time by sections.

Senator Crow moved to amend by striking "a," in line 12, section 1, and insert the words "the chief" in lieu thereof.

The motion prevailed.

Senator Hemrich moved to strike the words "and for cause," in line 2, section 2.

The motion prevailed.

On motion of Senator Megler, the bill was referred to the Engrossing Committee.

The following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

The House has passed House bill No. 38, entitled "An act to amend section 51, chapter 89, Laws of 1897, being an act relating to public lands of the state, approved March 16, 1897."

Also, House bill No. 44, entitled "An act relating to the time of commencing civil actions, and section 122 of volume 2 of Hill's General Statutes and Codes of the State of Washington."

Also, House bill No. 105, entitled "An act to prevent and punish the defacing or destruction of any sign board or post or mile board or post."

Also, House bill No. 144, entitled "An act providing that before any corporation can reorganize under the laws of this state all claims and liabilities shall be paid off and satisfied."

Also, House bill No. 157, entitled "An act providing for voting on a constitutional amendment at the general election to be held in November, 1900, relative to the ownership of lands by aliens."

Also, House bill No. 161, entitled, "An act providing for conducting the Agricultural Experiment Station heretofore established at Puyallup, Washington."

Also, House bill No. 194, entitled "An act making an appropriation for deficiency in the maintenance fund of the Western Washington Hospital for the Insane."

Also, House bill No. 214, entitled "An act relating to cemeteries and burial places."

Also, House bill No. 216, entitled "An act regulating fraternal beneficiary societies, orders or associations, and declaring an emergency."

Also, House bill No. 248, entitled "An act relating to revenues and taxes on real property which became delinquent during the year 1897, and all years prior thereto, remitting all penalties and interest thereon if paid on or prior to the 1st day of November, 1899, and declaring an emergency."

Also, House bill No. 260, entitled "An act to amend section 47 of the Code of Washington of 1881, the same being section 4852 of Ballinger's Annotated Codes and Statutes of Washington, relating to the venue of civil actions."

Also, House bill No. 272, entitled "An act providing for the manner of locating and holding lode and placer mining claims, prescribing authority of mining districts."

Also, House bill No. 275, entitled "An act relating to the garnishment of wages and salaries of agents and employes of counties, municipalities and school districts."

Also, House bill No. 280, entitled "An act amending section 1 of an act entitled 'An act authorizing cities and towns to construct, condemn and purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power pur-

poses, cable, electric and other railways, with all land and property required therefor, providing for payment therefor, repealing an act entitled 'An act relating to, and authorizing cities and towns to purchase, construct, and maintain waterworks, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency,' approved February 10, 1893, and declaring an emergency,' Approved March 7, 1897, being section 1 of Chapter 112 of the Session Laws of the State of Washington for 1897."

Also, House bill No. 293, entitled "An act empowering the board of regents of the Agricultural College and School of Science to give bonds for the safe keeping of the arms and ordnance stores loaned by the United States to the college, and declaring an emergency."

Also, House bill No. 304, entitled "An act amending section 2417, volume 1, Hill's Annotated Statutes and Codes of Washington, the same being section 5927, volume 2 of Ballinger's Codes and Statutes of Washington, in relation to an act for bonds to be taken for municipal contracts and declaring an emergency."

Also, House bill No. 323, entitled "An act to amend sections 1740 and 1743 of Vol. I of Hill's Annotated Statutes and Codes of the State of Washington, being sections 4122 and 4125 of Ballinger's Code," relating to head gates upon irrigation ditches and fixing a penalty.

Also, House bill No. 324, entitled "An act to amend sections 11, 12, 33, and 36, and to repeal sections 8, 9, and 10 of an act entitled 'An act providing for the establishment of a system of improved roads in counties, and providing for the manner of laying out, constructing and maintaining the same,' approved March 15, 1893, and the same being chapter 123 of the laws of 1893."

Also, House bill No. 335, entitled "An act to amend section 12 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease, and disposition of the state's granted, school, tide, oyster, and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the Board of State Land Commissioners, defining their duties, and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897."

Also, House bill No. 342, entitled "An act defining the boundaries of King county."

Also, House bill No. 348, entitled "An act to prevent the duplication of corporate names or entitlements."

Also, House bill No. 349, entitled "An act to regulate and control insurance companies, corporations, and associations in this state, and to amend sections 1, 6, and 7 of an act entitled 'An act to regulate and control insurance companies, corporations, and associations in this state, and to amend sections 11, 26, 29, 33, and 34 of "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895,' approved March 13, 1897."

Also, House bill No. 350, entitled "An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 4 and 31 of an act entitled 'An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency,' approved March 19, 1895."

Also, House bill No. 263, entitled "An act to punish the injury or destruction of property and records upon public lands."

Also, House bill No. 367, entitled "An act making it unlawful to catch or kill trout, perch, bass and pickerel during certain months, or to take, catch or kill the same in any manner whatever other than by hook and line, providing a punishment."

Also, House bill No. 381, entitled "An act relating to the trial of actions by jury, and amending section 354 of Vol. 2, Hill's Annotated Codes and Statutes of Washington, being section 4993 of Ballinger's Annotated Codes and Statutes."

Also, House bill No. 382, entitled "An act to regulate mutual fire insurance companies and associations."

Also, House bill No. 385, entitled "An act to provide for reducing the costs and expenses in the administration of estates not exceeding one thousand dollars in value."

Also, House bill No. 393, entitled "An act amending section 6 of an act entitled 'An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency,' approved March 17, 1897."

Also House bill No. 396, entitled "An act amending section 12 of an act entitled 'An act providing liens upon saw logs, spars, piles or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens, and the benefit thereof, and the manner and the procedure of obtaining the same,' approved March 15, 1893."

Also House bill No. 413, entitled "An act to create the county of Wenatchee, subject to the requirements of the state constitution and statutes in respect to the establishment of new counties."

Also House bill No. 431, entitled "An act to amend section 4, 12 and 14, chapter 109, page 308, Session Laws of 1897, entitled 'An act to promote and protect the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture, to repeal certain laws in conflict therewith,' approved March 17, 1897 and declaring an emergency."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

On motion of Senator Mantz the Senate adjourned at 12 M. until 2 P. M.

AFTERNOON SESSION.

The president called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present.

Senator Hemrich was excused until tomorrow.

The following message was received from the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 28, 1899.

MR. PRESIDENT:

Mr. Speaker has appointed on the part of the House Mr. Gose of Walla Walla, Mr. Frye of Whatcom, and Mr. Conway of King, as the three members of the joint committee to receive bids for furnishing suitable office room for the officers of the state having offices at the capital for two years following August 1, 1899.

W. F. DILLON, Chief Clerk.

FIRST AND SECOND READING AND REFERENCE OF BILLS.

House bill No. 96, by Mr. Myers: An act compelling railroads to fence their rights-of-way, and to protect the owners of stock injured by moving railway trains; declaring the laws of negligence with regard to stock injured by railway trains.

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 500, by Mr. Clark: An act to authorize and permit the order of the Grand Army of the Republic, a patriotic order, and also the order of the Sons of Veterans, also a patriotic order, in the State of Washington, to use the Great Seal of the State of Washington, and such other appropriate designs pertaining to said state, in the making of medals to be presented by and under the auspices of either one or both of said orders to the officers and members of the United States Volunteer Troops from the State of Washington who have been in active service in the war with, etc.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Military.

House bill No, 423, by Mr. Dickson: An act authorizing cities of the first class to levy and collect assessments upon property benefitted by local improvements, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 417, by Mr. Heilig: An act relating to justices of the peace and constables in cities of the first class, and fixing their number and salaries, and providing for making one of the justices elected in such cities a police justice, and defining his duties and powers.

The bill was read the first time; and, on motion of Senator Preston, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 351, by Mr. Patterson: An act to change the name of Dogfish Bay, Kitsap county, State of Washington, to Patterson Bay, Kitsap county, State of Washington.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

House bill No. 305, by Mr. Langfitt: An act to amend section 5 of an act entitled "An act to provide for the establishment and creation of dike districts, and the construction and maintenance of a system of dikes, and to provide the means of the payment thereof, and declaring an emergency," approved March 20th, 1895.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Dikes, Drains and Drainage.

House bill No. 147, by Mr. Thacker: An act to provide for laying out and establishing private ditches and drains.

The bill was read the first time; and, on motion of Senator Cole, the rules were suspended, the bill read the second time by title, and referred to the Committee on Dikes, Drains and Drainage.

House memorial No. 9, by Mr. Pendergast: Relating to the improvement of Columbia river at certain places.

The memorial was read the first time; and, on motion of Sena-

tor Megler, the rules were suspended, the memorial read the second time by title, and referred to Committee on Memorials.

House bill No. 354, by Judiciary Committee, an act to regulate the sale of property on execution and to repeal Laws 1897, was read the third time by sections.

On motion of Senator Preston section 1 was amended by inserting "judgment or" after the word "ordinary" in line 2.

Senator Plummer moved to strike section 2.

Senators Mantz, Runner, Plummer, High, Keith and Land demanded the roll call on the motion which was lost by the following vote: Yeas 14, nays 17, absent or not voting 3.

Those voting yea were Senators Carper, Cole, Davis, High, Hill, Keith, Land, Mantz, Miller David, Miller T. J., Plummer, Reinhart, Runner, and Van Patten—14.

Those voting nay were Senators Andrews, Baker, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, LeCrone, McReavy, Megler, Preston, Schofield, Warburton, Wilshire, Wooding and Yeend—17.

Absent or not voting Senators Baum, Biggs and Paul—2.

Senator Preston moved to amend by adding to section 2 the following: "The commencement of an action for the recovery of a debt secured by mortgage not asking a foreclosure of the mortgage and brought before a foreclosure of the mortgage and sale thereunder shall be and be deemed to be a waiver of the mortgage security, and this provision may not be waived or avoided by agreement contained in the mortgage or otherwise."

The motion prevailed.

Senator Preston moved to strike all after "notice," in line 2, section 14, and all preceding the period in line 3.

The motion prevailed.

Senator Preston moved to amend by adding to section 15 the following: "*Provided further*, That as to any land so sold which is at the time of the sale used for farming purposes, or which is a part of a farm used at the time of sale for farming purposes, the judgment debtor shall be entitled to retain possession thereof during the period of redemption and the purchaser or his successor in interest shall, if the judgment debtor do not redeem, have a lien upon the crops raised or harvested thereon during the period of such possession for interest on the purchase price at the rate of six per cent. per annum during the period of pos-

session and for any taxes with interest: *And provided further,* That in case of any homestead occupied for that purpose at the time of sale, the judgment debtor shall have the right to retain possession thereof during the period of redemption without accounting for issues or value of occupation."

The motion prevailed.

Senator Plummer moved to insert after the word "sold," in line 9, section 3, "and one posted upon the property to be sold."

The motion prevailed.

Senator Mantz moved to insert after the word "lien," in line 2, section 2, "and a deficiency judgment is consented to in said agreement."

The motion prevailed.

Senator Plummer moved to strike out section 2.

Senators Plummer, Wilshire, Davis, Runner, Crow and Carper demanded the roll call on the motion, which was lost by the following vote: Yeas 13, nays 16, absent or not voting 5.

Those voting yea were: Senators Carper, Cole, Davis, High, Hill, Keith, Land, Mantz, Miller David, Miller T. J., Paul, Plummer, and Runner—13.

Those voting nay were: Senators Andrews, Baker, Clapp, Crow, Hall, Hamilton, Hammer, LeCrone, McReavy, Megler, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend—16.

Absent or not voting were: Senators Baum, Biggs, Hemrich, Reinhart, and Van Patten—5.

Senator Preston moved to amend section 8 as follows: In line 2 strike the words "from the purchaser." In line 3 strike "the purchaser," and the words "his purchase," and insert in lieu of his purchase the words "the bid." Insert after the word purchaser in line 5, "or his successor in interest."

The motion prevailed.

Senator Land moved to strike "ten" in line 3, and insert "eight" in lieu thereof.

The motion prevailed.

Senator Land moved to strike the word "ten" in lines 3 and 11, section 9, and insert "eight" in lieu thereof.

The motion prevailed.

Senator Preston moved to strike "or notice thereof given," in line 3, section 10, and insert, "or notice given operating to extend the period of redemption," in lieu thereof.

The motion prevailed.

Senator Preston moved to strike "such certificates," in line 11, section 10, and insert in lieu thereof "a certificate of redemption."

The motion prevailed.

Senator Preston moved to strike all of section 12.

The motion prevailed.

Senator Wilshire moved to strike "two," in line 2, section 13, and insert in lieu thereof the word "five."

The motion prevailed.

Senator Plummer moved to substitute for section 13, the following:

SEC. 13. The judgment debtor and his successor in interest shall be entitled to the possession, rents, issues and profits of the real estate, during the period allowed for redemption.

Senators Plummer, Preston, Warburton, Hammer, Runner, and Wilshire demanded the roll call on the motion, which was lost by the following vote: Yeas 10, nays 18, absent or not voting.

Those voting yea were: Senators Carper, High, Hill, Keith, Land, Mantz, McReavy, Miller T. J., Plummer, and Runner — 10.

Those voting nay were: Senators Andrews, Baum, Clapp, Crow, Hall, Hamilton, Hammer, LeCrone, Megler, Miller David, Paul, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 18.

Absent or not voting were: Senators Baker, Biggs, Cole, Davis, Hemrich, and Reinhart — 6.

Senator Preston moved to strike, beginning with the word "upon," in line 8, section 10, and ending with the period, in line 8.

The motion prevailed.

Senator Plummer moved to indefinitely postpone the bill.

Senators Plummer, Preston, Schofield, Wilshire, T. J. Miller, and David Miller, demanded the roll call on the motion, which was lost by the following vote: Yeas 7, nays 26, absent or not voting 1.

Those voting yea were: Senators Carper, Cole, Davis, High, Keith, Land, and Plummer — 7.

Those voting nay were: Senators Andrews, Baker, Baum,

Biggs, Clapp, Crow, Hall, Hamilton, Hammer, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 26.

Absent or not voting: Senator Hemrich.

Senator Mantz moved to amend section 13 by inserting after the words “another redemption,” in line 2, the words “except as hereinafter provided.”

The motion prevailed.

Senator Preston moved to insert after the word “property” and before “and,” in line 28, section 13, the words “and be in possession of the purchaser or any redemptioner.”

The motion prevailed.

Senator Mantz moved to amend section 14 by striking “by order granted with or without notice, on the application of the purchaser or judgment creditor.”

The motion prevailed.

On motion of Senator Crow, the bill was placed on final passage, and passed by the following vote: Yeas 22, nays 10, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Crow, Hall, Hamilton, Hammer, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 22.

Those voting nay were: Senators Biggs, Carper, Cole, Davis, Hill, Keith, Land, Plummer, Reinhart, and Runner — 10.

Absent or not voting: Senators Hemrich and High — 2.

The emergency clause failed to pass by the following vote: Yeas 14, nays 14, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Clapp, Crow, Hall, Hamilton, Hammer, LeCrone, Megler, Miller David, Schofield, Wilshire, Wooding, and Yeend — 14.

Those voting nay were: Senators Davis, Hill, Keith, Land, Mantz, McReavy, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Van Patten, and Warburton — 14.

Absent or not voting: Senators Baum, Biggs, Carper, Cole, Hemrich, and High — 6.

On motion of Senator Preston, the rules were suspended, and the bill ordered immediately transmitted to the House.

On motion of Senator Keith, the Senate adjourned at 4:50 P. M. until 7:30 P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 P. M., pursuant to adjournment.

The secretary called the roll all members being present except Senators Andrews, Hemrich, Reinhart and Wooding who were excused.

The Committee on Railroads and Transportation submitted the following majority and minority reports on Senate bill No. 126, by Senator Runner, regulating common carriers, and fixing maximum railroad freight rates in the State of Washington, etc.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 126, entitled "An act to amend an act entitled 'An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor,' " have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, for the reasons following:

First. We find that the rates now charged in this state on the commodities named in the bill are as low, or lower than the rates charged by railway companies engaged in carrying to market the same commodities from the states of Minnesota, South Dakota, North Dakota, Iowa and Nebraska.

Second. The said Nebraska and North Dakota rates were reduced by commissions in each of said states, and that after full trial in the Supreme Court of the United States, in the Nebraska case; and in the United States Circuit Court, in the North Dakota case, such reductions, amounting to a less percentage than the reductions proposed by this bill were declared invalid and were set aside and the rates charged by the companies were sustained.

Third. We find that the cost of railroad construction and operation in this state is necessarily greater than in the states above referred to,

and that the rates now charged on the commodities named in the bill, by the respective railroads operating in this state are to the best of our knowledge and belief just and reasonable, and that any reduction in the rates now charged would, unless proven excessive, be unjust and tend to deprive such railway companies of a fair, just and reasonable income upon the actual value of their property, said value being measured and determined by the rules laid down by the Supreme Court of the United States in the Nebraska rate case.

Fourth. That the rates established by this bill are arbitrarily fixed and constitute a discrimination against the lumber and shingle industry of the western portion of this state.

Fifth. That the present grain rates from Eastern Washington are now much lower than on other commodities and products of this state, and the further reduction of such grain rates would constitute an unfair and unjust regulation of railroad rates that would not be upheld by our courts.

Respectfully submitted.

ED. S. HAMILTON.

We concur in this report: Geo. D. Schofield, C. F. Clapp, Thos. J. Miller.

MINORITY REPORT.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, a minority of your Committee on Railroads and Transportation, to whom was referred Senate bill No. 126, entitled "An act to amend an act entitled 'An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

In section 1, line 12, of the printed bill, after the word "miles," strike out "one and four-fifths" and insert "two and one-fifth" in lieu thereof.

In line 13, after the words "one and," strike out "one-fifth" and insert "four-fifths."

In line 14, after the last word "one," insert "and two-fifths."

In line 16, after the word "miles," strike out "eight-tenths of."

In line 17, after the word "miles," strike out "seven" and insert "eight."

In line 19, after the word "miles," strike out "six-tenths" and insert "sixty-four one-hundredths."

In line 21, after the word "miles," strike out "five-tenths" and insert "fifty-six one-hundredths."

In line 22, after the word "miles," strike out "forty-eight," and insert "fifty."

In line 26, after the word "forty," strike out "four" and insert "two."

In line 28, after the word "miles," strike out "forty-two" and insert "thirty-eight."

In line 30, strike out the first word "forty" and insert "thirty-four."

In line 31, after the word "miles," strike out "thirty-eight" and insert "twenty-four."

In line 33, after the word "miles," strike out "thirty-six" and insert "sixteen."

In line 35, after the word "eighty," strike out "two" and insert "eight."

In line 36, after the second word "dollar," insert the words "and fifteen cents;" after the word "and," in the latter part of the line, strike out "twenty-five" and insert "fifty."

In line 37, after the word "and," strike out "forty" and insert "seventy;" after the word "miles," near the latter part of the line, strike out "one" and insert "two."

In line 38, after the first word "dollar," insert the letter "s;" after the second word "and" strike out "eighty" and insert "fifteen;" after the word "and," in the latter part of the line, strike out "ten" and insert "forty-seven."

In line 39, after the words "two dollars and," strike out "thirty" and insert "seventy."

In line 40, after the first word "miles," strike out "two" and insert "three;" after the third word "dollars" strike out "and fifty-nine cents;" after the word "miles," in the latter part of the line, strike out "two" and insert "three."

In line 41, after the first word "and," strike out "eighty-two" and insert "twenty-three;" after the words "dollars and" insert "forty."

In line 42, after the words "dollars and," strike out "twenty-five" and insert "sixty-three."

In line 43, after the words "dollars and," strike out "forty-five" and insert "eighty."

In line 44, after the first word "and," strike out "sixty-four" and insert "ninety-two;" after the word "miles" strike out "three dollars and eighty-two cents" and insert "four dollars."

In section 2, line 12, of the printed bill, after the word "eighty" insert the word "five."

In section 3, line 10, of the printed bill, after the words "to-wit," strike out "seventy" and insert "fifty-five."

In line 12, after the word "two," insert "and one-fifth."

In line 13, after the words "one and," strike out "one-third" and insert "four-fifths."

In line 14, after the word "one," insert "and two-fifths;" after the word "cent" insert the letter "s."

In line 16, after the word "miles," strike out "eight-tenths of."

In line 17, after the word "miles," strike out "seven" and insert "eight."

In line 18, after the word "fifty," insert "and up to a total distance of

two hundred miles, sixty-four one-hundredths of one cent per ton; and for each mile of distance in excess of two hundred and up to a total distance of two hundred and fifty miles, fifty-six one-hundredths of one cent per ton; and for each mile of distance in excess of two hundred and fifty and up to a total distance of three hundred miles, fifty one-hundredths of one cent per ton; and for each mile of distance in excess of three hundred and up to a total distance of three hundred and fifty miles, forty-six one hundredths of one cent per ton, and for each mile of distance in excess of three hundred and fifty and up to a total distance of four hundred miles, forty-two one-hundredths of one cent per ton; and for each mile in excess of four hundred and up to a total distance of four hundred and fifty miles, thirty-eight one hundredths of one cent per ton; and for each mile of distance in excess of four hundred and fifty and up to a total distance of five hundred miles, thirty-four one hundredths of one cent per ton; and for each mile of distance in excess of five hundred and up to a total distance of five hundred and fifty miles, twenty-four one-hundredths of one cent per ton; and for each mile of distance in excess of five hundred and fifty and up to a total distance of six hundred miles, sixteen one-hundredths of one cent per ton." In same line 18, strike out the last word "one."

In line 19 strike out "seventy" and insert "fifty-five." Also strike out "half of one cent per ton."

In line 20 strike out "one dollar" and insert eighty-eight cents."

In line 21, after the fifth word "and," strike out "twenty" and insert "fifteen;" after the word "and" near the latter part of the line, strike out "forty" and insert "fifty."

In line 22 strike out the first word "five;" after the words "dollar and" strike out "sixty" and insert "seventy."

In line 23, after the sixth word "dollars," insert and fifteen cents;" at the end of the line strike out "twenty" and insert "forty."

In line 24, strike out the first word "five" and insert "seven;" after the words "dollars and" strike out "fifty" and insert "seventy-five."

In line 25, after the word "miles," strike out "two" and insert "three;" after the word "dollars," strike out "and seventy-five cents."

In line 26, after third word "dollars," insert "and twenty-three cents;" after the words "dollars and," in the latter part of the line, strike out "twenty-five" and insert "forty-four."

In line 27, after the words "dollars and," strike out "fifty" and insert "sixty-three."

In line 28, after the words "dollars and," strike out "seventy-five" and insert "eighty;" after the word "ton" insert "for five hundred and fifty miles, three dollars and ninety-two cents per ton; for six hundred miles, four dollars per ton."

In line 30 strike out "three dollars and eighty-five cents" and insert "four dollars."

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: David Miller, Dan Paul.

Senator Hamilton moved to adopt the majority report.

Senator David Miller moved to substitute the minority for the majority report.

Senator Hall moved to amend that further action on the reports be deferred, and that they be placed on general file.

The amendment prevailed.

The secretary read the bill by sections.

Senator Runner moved to substitute the following for section 1:

SECTION 1. Section 1 of an act entitled "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," is hereby amended to read as follows: "Section 1. No railroad company or other common carrier, its agents or employes, doing business within this state shall charge for hauling agricultural products as defined in this section in carload lots from one point within this state to another point within this state at rates exceeding the following, to wit: Fifty-five cents per ton for distances not exceeding twenty miles, and for each mile of distance in excess of twenty and up to a total distance of thirty-five miles, two and one-fifth cents per ton; and for each mile of distance in excess of thirty-five and up to a total distance of fifty miles, one and four-fifths cents per ton; and for each mile of distance in excess of fifty and up to a total distance of seventy-five miles, one and two-fifths cents per ton; and for each mile of distance in excess of seventy-five and up to a total distance of one hundred miles one cent per ton; and for each mile of distance in excess of one hundred and up to a total distance of one hundred and fifty miles, eight-tenths of one cent per ton; and for each mile of distance in excess of one hundred and fifty and up to a total distance of two hundred miles, sixty-four one-hundredths of one cent per ton; and for each mile of distance in excess of two hundred and up to a total distance of two hundred and fifty miles, fifty-six one-hundredths of one cent per ton; and for each mile of distance in excess of two hundred and fifty and up to a total distance of three hundred miles, fifty one-hundredths of one cent per ton; and for each mile of distance in excess of three hundred and up to a total distance of three hundred and fifty miles, forty-six one-hundredths of one cent per ton; and for each mile of distance in excess of three hundred and fifty and up to a total distance of four hundred miles, forty-two one-hundredths of one cent per ton; and for each mile of distance in excess of four hundred and up to a total distance of four hundred and fifty miles, thirty-eight one-hundredths of one cent per ton; and for each mile of distance in excess of four hundred and fifty and up to a total distance of five hundred miles, thirty-four one-hundredths of one cent per ton; and for each mile of distance in excess of five hundred and up to a total distance of five hundred and fifty miles, twenty-four one-hundredths of one

cent per ton; and for each mile of distance in excess of five hundred and fifty and up to a total distance of six hundred miles, sixteen one-hundredths of one cent per ton, making the rates allowed hereby not more than fifty-five cents per ton for distances not more than twenty miles; for thirty-five miles, eighty-eight cents per ton; for fifty miles, one dollar and fifteen cents per ton; for seventy-five miles, one dollar and fifty cents per ton; for one hundred miles, one dollar and seventy-five cents per ton; for one hundred and fifty miles, two dollars and fifteen cents per ton; for two hundred miles, two dollars and forty-seven cents per ton; for two hundred and fifty miles, two dollars and seventy-five cents per ton; for three hundred miles, three dollars per ton; for three hundred and fifty miles, three dollars and twenty-three cents per ton; for four hundred miles, three dollars and forty-four cents per ton; for four hundred and fifty miles, three dollars and sixty-three cents per ton; for five hundred miles, three dollars and eighty cents per ton; for five hundred and fifty miles, three dollars and ninety-two cents per ton; for six hundred miles, four dollars per ton, with proportionate differences for intermediate distances: *Provided, however,* That no charge for hauling the freight in carload lots in this section mentioned shall exceed four dollars per ton from any point within this state to any other point within this state. 'Agricultural products' mentioned herein shall be held to include corn, grain of all kinds, flour, feed, mill stuffs, flax seed, hay compressed in bales, and hops pressed in bales."

The motion prevailed.

Senator David Miller moved to insert "five" after "eighty" in line 12, section 2.

The motion prevailed.

Senator Preston moved to strike "by the Northern Pacific Railway Company" in line 14, section 2, and insert "for like distances" in lieu thereof.

The motion prevailed.

Senator Runner moved to substitute for section 3 the following:

SEC. 3. Section 3 of an act entitled "An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," is hereby amended to read as follows: "Section 3. No railroad company or other common carrier, its agents or employes, doing business within this state, shall charge for hauling lumber, lath or shingles, in carload lots, from one point within this state to another point within this state, at rates exceeding the following, to-wit: Fifty-five cents per ton for distances not exceeding twenty miles; and for each

mile of distance in excess of twenty and up to a total distance of thirty-five miles, two and one-fifth cents per ton; and for each mile of distance in excess of thirty-five and up to a total distance of fifty miles, one and four-fifth cents per ton; and for each mile of distance in excess of fifty and up to a total distance of seventy-five miles, one and two-fifths cents per ton; and for each mile of distance in excess of seventy-five miles and up to a total distance of one hundred miles, one cent per ton; and for each mile of distance in excess of one hundred and up to a total distance of one hundred and fifty miles, eight-tenths of one cent per ton; and for each mile of distance in excess of one hundred and fifty and up to a total distance of two hundred miles, sixty-four one-hundredths of one cent per ton; and for each mile of distance in excess of two hundred and up to a total distance of two hundred and fifty miles, fifty-six one-hundredths of one cent per ton; and for each mile of distance in excess of two hundred and fifty and up to a total distance of three hundred miles, fifty one-hundredths of one cent per ton; and for each mile of distance in excess of three hundred and up to a total distance of three hundred and fifty miles, forty-six one-hundredths of one cent per ton; and for each mile of distance in excess of three hundred and fifty and up to a total distance of four hundred miles, forty-two one-hundredths of one cent per ton; and for each mile of distance in excess of four hundred and up to a total distance of four hundred and fifty miles, thirty-eight one-hundredths of one cent per ton; and for each mile of distance in excess of four hundred and fifty and up to a total distance of five hundred miles, thirty-four one-hundredths of one cent per ton; and for each mile of distance in excess of five hundred and up to a total distance of five hundred and fifty miles, twenty-four one hundredths of one cent per ton; and for each mile of distance in excess of five hundred and fifty and up to a total distance of six hundred miles, sixteen one-hundredths of one cent per ton, making the rates allowed hereby not more than fifty-five cents per ton for distances not more than twenty miles; for thirty-five miles, eighty-eight cents per ton; for fifty miles, one dollar and fifteen cents per ton; for seventy-five miles, one dollar and fifty cents per ton; for one hundred miles, one dollar and seventy-five cents per ton; for one hundred and fifty miles, two dollars and fifteen cents per ton; for two hundred miles, two dollars and forty-seven cents per ton; for two hundred and fifty miles, two dollars and seventy-five cents per ton; for three hundred miles, three dollars per ton; for three hundred and fifty miles, three dollars and twenty-three cents per ton; for four hundred miles, three dollars and forty-four cents per ton; for four hundred and fifty miles, three dollars and sixty-three cents per ton; for five hundred miles, three dollars and eighty cents per ton; for five hundred and fifty miles, three dollars and ninety two-cents per ton; for six hundred miles, four dollars per ton, with proportionate differences for intermediate distances: *Provided, however,* That no charge for hauling the freight in carload lots in this section mentioned shall exceed four dollars per ton from any point within this state to any other point within this state."

The motion prevailed.

The following resolution was introduced by Senator Crow:

Resolved, That this bill be referred to the Committee on Railroads and Transportation with instructions to so amend section 1 of the bill as to fix a schedule rate based on a maximum rate of \$3.75 for distances of three hundred to three hundred and fifty miles; also that said committee be instructed to report said bill so amended not later than March 2d, 1899, at 2 o'clock P. M.

Senator Crow moved to adopt the resolution.

Senator Preston moved to amend that the bill be made a special order for tomorrow at 3 P. M.

The amendment was lost.

Senators Crow, Baum, T. J. Miller, Davis, Warburton and McReavy demanded the roll call on the motion to adopt the resolution, which was lost by the following vote: Yeas 10, nays 20, absent or not voting 4.

Those voting yea were: Senators Baum, Cole, Crow, Hall, Hammer, Hill, Mantz, Van Patten, Wilshire, and Yeend—10.

Those voting nay were: Senators Baker, Biggs, Carper, Clapp, Davis, Hamilton, High, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, and Warburton—20.

Absent or not voting: Senators Andrews, Hemrich, Reinhart, and Wooding—4.

Senator Wilshire moved to strike section 1 and substitute the following therefor:

SECTION 1. No railroad company or other common carrier, its agents or employes, doing business within this state, shall charge for hauling agricultural products, as defined in this section, in car load lots, from one point within this state to another point within this state at a rate exceeding four dollars (\$4.00) per ton for a distance of haul of three hundred and fifty miles or over; and at a rate exceeding 95 per cent. of the rate actually in effect on the Northern Pacific railway, between the same points in the State of Washington, on January 2, 1899, for any distance within this state: *Provided*, That no charge for hauling freight aforesaid, in car load lots, in this section mentioned, shall exceed \$4.00 per ton from any point within this state to another point within this state. "Agricultural products" mentioned herein is defined to be corn, grain of all kinds, flour, feed, mill stuffs, flaxseed, hay compressed in bales, hops compressed in bales.

Senator Runner moved to amend by striking "four dollars (\$4.00)" and insert "three and $\frac{75}{100}$ (\$3.75)" in lieu thereof.

The amendment was lost.

Senators T. J. Miller, Runner, Crow, Hall, Wilshire and McReavy demanded the roll call on the original motion, which resulted as follows: Yeas 15, nays 15, absent or not voting 4.

There being a tie vote, the president voted yea and declared the motion carried.

Those voting yea were: Senators Carper, Crow, Hall, Hammer, Hill, Land, Mantz, Miller David, Paul, Plummer, Preston, Runner, Van Patten, Wilshire, Yeend, and Mr. President—16.

Those voting nay were: Senators Baker, Baum, Biggs, Clapp, Cole, Davis, Hamilton, High, Keith, LeCrone, McReavy, Megler, Miller T. J., Schofield, and Warburton—15.

Absent or not voting: Senators Andrews, Hemrich, Reinhart, and Wooding—4.

Senator Megler moved to add the following section:

SEC. 5. Nothing in this act shall apply to any railroad within this state which does not exceed one hundred miles in length, or to any extension or branches of such railroad or new railroads hereafter constructed; and the building of extensions or branches of any such railroad shall not have the effect of bringing any such railroads within the provisions of this act, but this shall not be construed to exempt any railroad from the provisions of this act, as to any shipment consigned to any point in this state, beyond the line of such short road; any railroad or part of a railroad, which on the first day of March, 1899, would have been subject to the provisions of this act, shall be, and continue to be, subject to the same, notwithstanding any change in the operation, ownership or management thereof.

The motion prevailed.

Senator Mantz moved to insert "ore-bearing gold, silver, lead, copper, or other precious metals," after the word "lots," in line 8, section 2.

The motion prevailed.

Senator Wilshire moved to strike "eighty-five," in line 12, section 2, and insert "ninety" in lieu thereof.

The motion prevailed.

Senator Hamilton moved to strike section 3.

The motion prevailed.

By unanimous consent section 4 was made section 3.

By unanimous consent section 5 was made section 4.

Senator McReavy moved to indefinitely postpone the bill.

Senators Preston, Runner, Hall, McReavy, Hamilton, and Crow demanded the roll call on the motion, which was lost by the following vote: Yeas 13, nays 14, absent or not voting 7.

Those voting yea were: Senators Baker, Biggs, Clapp, Cole, Davis, Hamilton, High, LeCrone, McReavy, Megler, Miller T. J., Schofield, and Warburton — 13.

Those voting nay were: Senators Baum, Carper, Crow, Hall, Hammer, Hill, Mantz, Miller David, Paul, Preston, Runner, Van Patten, Wilshire, and Yeend — 14.

Absent or not voting: Senators Andrews, Hemrich, Keith, Land, Plummer, Reinhart, and Wooding — 7.

Senator Plummer moved that the bill be considered engrossed and placed on final passage.

The president ordered the bill referred to the Engrossing Committee.

Senator McReavy asked if the president had ruled upon the motion of Senator Plummer that the bill be considered engrossed and placed on final passage.

The president announced that he had not yet ruled.

Senator Yeend moved that the Senate do now adjourn.

The motion prevailed, and the Senate adjourned at 9:25 P. M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 1, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senators Biggs, and Reinhart, who were excused.

The journal of yesterday was read, corrected and approved.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 1, 1899.

MR. PRESIDENT:

The House has passed House bill No. 424, entitled "An act to establish the number of hours to constitute a days' work on all state, county

and municipal construction or such work done by contract or subcontract, and providing penalties for its violation.

Also, Senate bill No. 108, entitled "An act to authorize and regulate the paroling of convicts."

Also, House bill No. 439, entitled "An act relating to the assessment and collection of taxes in the State of Washington."

The speaker of the House has signed House bill No. 186, entitled "An act repealing an act entitled 'An act establishing a board of pardons and defining its duties and declaring an emergency,' " etc.

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 152, entitled "An act for the protection of employes, and to prohibit the practice of 'black-listing,' and providing penalties for its violation," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 222, entitled "An act amending sections 1 and 3 of 'An act to provide for the location and erection of a capitol building and providing an appropriation therefor, and declaring an emergency,' approved March 21, 1893," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: Harold Preston.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 200, entitled "An act to amend sections 11, 14, 15, 18, 38, 41, 42, 43, 67, 77 and 86 of 'An act to provide for the enrollment of the militia, for the organization, maintenance and discipline of the national guard of the State of Washington, and for the public defense, and entitled the "Military Code," and to repeal existing laws,' approved March 19, 1895, (Laws of 1895, page 201), and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation, section 5, line 4, strike out "twenty-five" and insert "eighteen."

Respectfully submitted.

JOHN WOODING, Chairman.

We concur in this report: F. M. Baum, Thos. J. Miller, J. G. Megler, W. H. Plummer.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 199, entitled "An act providing for the organization and regulation of banks, and prescribing penalty for violations of this act, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

JOHN WOODING, Chairman.

We concur in this report: J. G. Megler, Thos. J. Miller, W. H. Plummer, F. M. Baum.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred House bill No. 500, entitled "An act to authorize and permit the order of the Grand Army of the Republic, a patriotic order, and also the order of the Sons of Veterans, a patriotic order, in the State of Washington, to use the great seal of the State of Washington, and such other appropriate designs pertaining to said state in the making of medals to be presented by and under the auspices of either one or both of said orders, to the officers and members of the United States Volunteer troops from the State of Washington, who have been in active service in the late war with Spain," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

JOHN WOODING, Chairman.

We concur in the above report: J. G. Megler, Thos. J. Miller, W. H. Plummer, F. M. Baum.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 66, appreciating the great and urgent need of legislation looking to the reclamation and acquirement of the one million acres of land granted the state by the act of congress dated August 18, 1894, and recognizing in this bill a measure that will most likely accomplish the desired end and at the same time preserve to the people the full benefit that may accrue by reason of such development, report that the bill do pass.

Respectfully submitted.

JOHN H. CARPER, Chairman.

We concur in the above report: F. M. Baum, John I. Yeend, W. E. Runner.

On motion of Senator Carper the bill was referred.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Medicine, Surgery and Hygiene, to whom was referred Senate bill No. 192, entitled "An act to prevent the spread

of infectious diseases, and to provide for the disinfection of infected premises," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill do pass.

Respectfully submitted.

D. E. BIGGS, Chairman.

We concur in this report: S. M. LeCrone, John H. Carper.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Medicine, Surgery and Dentistry, to whom was referred Senate bill No. 191, entitled "An act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

D. E. BIGGS, Chairman.

We concur in this report: S. M. LeCrone, John H. Carper.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Medicine, Surgery and Dentistry, to whom was referred Senate bill No. 224, entitled "An act to compel all persons, firms or corporations to place the formulæ of the ingredients of all patent medicines on the outside of the bottle or package that may contain the said medicine, and prescribing a punishment for the failure to do so, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

D. E. BIGGS, Chairman.

We concur in this report: S. M. LeCrone, John H. Carper.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 227, entitled "An act to amend sections 1, 2 and 3 of an act entitled 'An act to extend the right of eminent domain to electric power companies, and declaring an emergency,' approved March 11, 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill be placed on general file.

Respectfully submitted.

S. WARBURTON, Chairman.

We Concur in this report: John H. Carper, C. A. Mantz, Herman D. Crow.

The report was adopted.

OLYMPIA, February 25, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 142, entitled "An act to amend section 34 of an

act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, defining their duties, and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897," being chapter 89 of Laws 1897, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

At the end of the bill insert the words "by law."

Respectfully submitted.

ED S. HAMILTON.

We concur in this report: Thos. J. Miller, Geo. D. Schofield, David Miller, C. F. Clapp.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 110, entitled "An act to amend sections 3, 10, 11 and 16, and repeal sections 7, 8 and 9 of an act entitled 'An act providing for levying and collecting taxes in road districts for road purposes, and limiting the use of the same; providing that persons owning property in this state, outside of incorporated cities and towns, shall be entitled to pay in labor, road taxes levied thereon, and amending sections 3, 10, 11 and 16, and repealing sections 7, 8 and 9 of "An act relating to the construction, repair and improvement of public roads, providing revenue for such purpose; defining the powers and duties of certain officers in relation thereto, and fixing their compensation;" and to repeal an act entitled "An act to provide for keeping highways in repair, and for the levy and collection of road poll and road property taxes, and declaring an emergency," approved March 7, 1890, and declaring an emergency,' approved March 21, 1895," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend section 1, line 17, by striking all after the word "county" and inserting in lieu thereof "a list of real property charged with road tax in his district as same is assessed on tax rolls giving name of persons to whom assessed and amount of road tax thereon."

Amend section 3, line 9, by striking the word "three (3)," before the word "dollars" and after the word "and," and insert in lieu thereof the word "four (4)."

Amend section 4, line 14, by striking the word "three (3)," before the word "dollars" and after the word "of," and insert in lieu thereof the word "four (4)."

Amend section 4, line 45 of the engrossed bill by striking out the word

twenty-five (25), before the word "dollars" and after the word "exceeding," and insert in lieu thereof the word "fifty (50)."

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: Geo. H. Baker, J. G. Megler, John Wooding, Augustus High.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges to whom was referred Senate bill No. 238, entitled "An act providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from a point on the county road, which runs from Washougal, Clarke county, Washington, to Cape Horn in Skamania county, Washington, about two miles east of Washougal in Clarke county, Washington, thence easterly along the north bank of the Columbia river, above high water mark, to a point of intersection with the Lyle and Goldendale county road, at or near the mouth of the Klickitat river in Klickitat county, Washington, creating a commission therefor, making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: Augustus High, J. G. Megler, G. H. Baker, John Wooding, C. A. Mantz.

The report was adopted.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 322, entitled "An act making application to the Congress of the United States of America to call a convention for proposing amendments to the Constitution of the United States of America as authorized by Article V of the Constitution of the United States of America, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, John H. Carper, S. Warburton, C. A. Mantz, Geo. D. Schofield.

I recommend that this bill be placed on general file.

HERMAN D. CROW.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 239, entitled "An act providing for validating leases heretofore made by cities or towns of streets, or portions thereof, upon the water front within or in front of cities or towns, and declaring an emergency," have had the same under consideration, and

we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendment:

Add to section 1 the following: "and provided further that this act shall not apply to cities of the first class."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: D. E. Biggs, John H. Carper, J. A. Davis, C. A. Mantz.

Report adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 349, entitled "An act to regulate and control insurance companies, corporations, and associations in this state, and to amend sections 1, 6, 7, of an act entitled 'An act to regulate and control insurance companies,' etc.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Section 3, line 12, strike "within a reasonable time."

Section 3, line 13, strike "thirty" and insert "twenty" in lieu.

Section 3, line 13, strike "proof" and insert in lieu "notice."

Add to section 3 the following: "Provided such insurer shall, within thirty days from the receipt of notice above, commence such rebuilding or replacing and shall diligently prosecute the same to completion, and shall pay to the insured the reasonable rental value of the premises with the buildings thereon from the date of loss to the date of such completion."

Section 4, line 14, strike the last word "one," strike the word "hundred" in line 15 and insert in lieu thereof the word "twenty-five."

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: J. A. Davis, C. A. Mantz, John H. Carper, D. E. Biggs.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 382, entitled "An act to regulate mutual fire insurance," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be placed on general file.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: John P. Carper, Herman D. Crow, J. A. Davis, C. A. Mantz.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 234, entitled "An act relating to the fiscal

affairs of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: D. E. Biggs, Herman D. Crow, John H. Carper, C. A. Mantz, J. A. Davis.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to which was referred House bill No. 424, entitled "An act to establish the number of hours to constitute a day's work on all state, county and municipal construction, or such work done by contract or sub-contract, and providing penalties for its violation," have had the same under consideration, and we respectfully report it back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: J. A. Davis, E. Hammer, Thos. J. Miller.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Military Affairs, to whom was referred Senate bill No. 246, entitled "An act making it unlawful for minors under the age of sixteen years to have in their possession, carry or hunt with firearms," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN WOODING, Chairman.

We concur in this report: J. G. Megler, F. M. Baum, Thos. J. Miller, W. H. Plummer.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred House bill No. 293, entitled "An act empowering the board of regents of the Agricultural College and School of Science to give bonds for the safe keeping of the arms and ordinance stores loaned by the United States to the college, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN WOODING, Chairman.

We concur in this report: J. G. Megler, F. M. Baum, Thomas J. Miller, W. H. Plummer.

The report was adopted.

OLYMPIA, February 28, 1899.

To the President of the Senate and Speaker of the House:

We, your joint special committee of the Senate and House, appointed for the purpose of considering the most practical method of investment

of the permanent school fund of the state, have had under consideration House bills No's. 107 and 108, and Senate bill No. 185, and respectfully report thereon as follows:

We recommend that the said House bills No's. 107 and 108, and said Senate bill No. 185, do pass, after they shall have been amended as follows:

That House bill No. 108 be amended as follows: Section 1, line 5, strike out the words, "the state permanent school fund in the hands of the state treasurer," and insert in place the words "five thousand dollars." In line 7 of the same section strike out the word "the" after the words "equal to" and insert in place thereof the word "that."

Strike the last four words of line 7, all of line 8 up to the words "and sell."

That Senate bill No. 185 be amended by adding a new section, which shall be section 2, as follows:

"Section 2. An emergency exists, and this act shall take effect immediately."

Respectfully submitted.

W. E. RUNNER,

Chairman Joint Special Committee.

We concur in this report: Wallace Mount, Chas. Bedford, J. A. Davis, F. A. McDonald, Jesse A. Frye.

I agree to all of the above report except as to House bill No. 107: Harold Preston.

The report was adopted.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 28, 1899.

To the Honorable the Senate of the State of Washington:

GENTLEMEN—I have the honor to submit herewith a list of appointments made during this session of the Legislature, not heretofore reported to you for confirmation:

BOARD OF TRUSTEES FOR THE STATE NORMAL SCHOOL AT CHENEY,
WASHINGTON.

Hon. J. J. Browne, of Spokane, appointed for the unexpired term ending July 29, A. D. 1902, vice Elmer D. Olmstead, of Spokane, resigned.

Hon. Joseph S. Allen, of Spokane, appointed for the term ending February 28, A. D. 1905, vice R. H. Manier, of Cheney, term expired.

Yours respectfully,

J. R. ROGERS, Governor.

Senator Baum moved that confirmation be made in open session.

The motion prevailed, and the appointments confirmed by the following vote: Yeas 32, nays none, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy,

Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 32.

Absent or not voting: Senators Biggs, and Reinhart, — 2.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, February 28, 1899.

The Honorable Senate of the State of Washington:

GENTLEMEN—I have the honor to submit herewith a list of appointments made during this session of the legislature, not heretofore reported to you for confirmation:

BOARD OF HEALTH FOR COLLECTION DISTRICT OF PUGET SOUND.

Dr. Quincy A. Brooks, Port Townsend, Wash., appointed for the term ending March 7, A. D., 1901, to succeed himself; term expired.

Dr. Samuel Hadlock, Port Townsend, Wash., appointed for the term ending March 7, A. D., 1901, to succeed himself; term expired.

Dr. L. D. Smith, Port Townsend, Wash., appointed for the term ending March 7, A. D., 1901, to succeed himself; term expired.

Yours respectfully, J. R. ROGERS, Governor.

Senator Baum moved that the confirmation be made in open session.

The motion prevailed and the appointments confirmed by the following vote: Yeas 32, nays none, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 32.

Absent or not voting: Senators Biggs and Reinhart.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

The House has passed House bill No. 452, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1899, and ending March 31, 1901.

Also, House bill No. 245, entitled "An act appropriating money for incidental and traveling expenses of the State Fish Commissioner."

Also, House bill No. 279, entitled "An act for the relief of Captain Ed. E. Hardin, and making an appropriation."

Also, House bill No. 408, entitled "An act transferring moneys in the State Treasury credited to the revolving fund of the State Penitentiary to the general fund, and declaring an emergency."

Also, House bill No. 418, entitled "An act to more clearly define the boundaries of Pierce county, and amending section 24, title 1, volume 1, of Hill's Annotated Statutes and Codes of Washington, the same being section 22, title 1, chapter 1 of Ballinger's Annotated Codes and Statutes of Washington."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS.

House bill No. 248, by Mr. Bedford: An act relating to revenue and taxes on real property which became delinquent during the year 1897, and all years prior thereto, remitting all penalties and interest thereon if paid on or prior to the 1st. day of November 1899, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title, and referred to Committee on Revenue and Taxation.

House bill No. 194, by Mr. Bedford: An act making an appropriation for deficiency in the maintenance fund of the Western Washington Hospital for the Insane.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Appropriations.

House bill No. 161, by Mr. Stewart: An act providing for conducting the Agricultural Experiment Station heretofore established at Puyallup, Washington.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Appropriations.

House bill No. 157, by Mr. Rosenhaupt: An act providing for voting on a constitutional amendment at the general election to be held in November 1900, relative to the ownership of bonds by aliens.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the time by title, and referred to Committee on Constitution and Constitutional Revision.

House bill No. 144, by Mr. Palmer, (by request): An act providing that before any corporation can reorganize under the laws of this state, all claims and liabilities shall be paid off and satisfied.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House bill No. 439, by Senate and House Joint Committee on Revenue and Taxation: An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and repealing sections 100, 101, 106, 110, 113, 115, 117, 118, and 121 thereof, and by adding sections 97½, 119¼, 119½, 119¾, 120¼, 120½, and 120¾ to said act, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilshire, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 245, by Mr. Callvert: An act appropriating money for incidental and traveling expenses of the State Fish Commissioner.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to Committee of the Whole.

House bill No. 279, by Mr. Frye: An act for the relief of Captain Ed. E. Hardin, and making an appropriation.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee of the Whole.

House bill No. 408, by Mr. Englehart: An act transferring money in the State Treasury credited to the revolving fund of the State Penitentiary to the general fund, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to Committee of the Whole.

House bill No. 418, by Mr. Miller: An act to more clearly define the boundaries of Pierce county, and amending section 24, title I, vol. 1 of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Counties and County Boundaries.

House bill No. 105, by Mr. Rosenhaupt: An act to prevent and punish the defacing or the destruction of any sign board or post or mile board or post.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Public Morals.

House bill No. 44, by Mr. Pratt: An act relating to the time of commencing civil actions, amending section 115 and 122 of vol. 2 of Hill's General Statutes and Codes of the State of Washington, the same being sections 4800 and 4807, vol. 2 of Ballinger's Annotated Codes and Statutes.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House bill No. 363, by Mr. Wickersham: An act to punish the injury or destruction of property and records upon public lands.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to Committee on Judiciary.

House bill No. 38, by Mr. Colwell: An act to amend section 51, chapter 89, Laws of 1897, being an act relating to public lands of the state, approved March 16, 1897.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to Committee on State, Granted, School and Tide Lands.

House bill No. 424, by Committee on Labor and Labor Statistics: An act to establish the number of hours to constitute a day's work on all state, county or municipal construction, or such work done by contract or sub-contract, and providing a penalty for its violation.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to Committee on Labor and Labor Statistics.

House bill No. 452, by Committee on Appropriations: An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1st, 1899, and ending March 31st, 1901.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to Committee on Appropriations.

House bill No 385, by Mr. Gleason: An act to provide for reducing the cost and expenses in the administration of estates not exceeding one thousand dollars in value.

The bill was read the first time; and, on motion of Senator Hill, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 382, by Mr. Colwell: An act to regulate mutual fire insurance companies and associations.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 381, by Committee on Judiciary: An act relating to the trial of actions by jury, and amending section 354 of volume 2 Hill's Annotated Statutes and Codes of Washington, being section 4993 of Ballinger's Annotated Codes and Statutes.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 350, by Mr. Heilig: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 4 and 31 of an act entitled, 'An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency,' approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill was read the second time by title, and placed on general file.

House bill No. 349, by Mr. Heilig: An act to regulate and control insurance companies, corporations, and associations in this state, and to amend sections 1, 6, and 7 of an act entitled: 'An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 11, 26, 29, 33 and 34 of an act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency,' approved March 19, 1895 and approved March 13, 1897.

The bill was read the first time; and, motion of Senator Plummer, the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 348, by Mr. Shellar: An act to prevent the duplication of corporate names or entitlements.

The bill was read the first time; and, on motion of Senator Keith the rules were suspended, the bill read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 275, by Mr. Pratt, (by request): An act relating to the garnishment of wages and salaries of agents and employes of counties, municipalities and school districts.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 367, by Committee on Game and Game Fish: An act making it unlawful to catch or kill trout, perch, bass and pickerel during certain months, or to take, catch or kill the same in any manner whatever other than by hook and line, providing the punishment.

Read first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title and referred to the Committee on Fisheries.

House bill No. 324, by Mr. Callvert: An act to amend sections 11, 12, 33 and 36 and to repeal sections 8, 9 and 10 of an act entitled, 'An act to provide for the establishment of a system of improved roads in counties and providing for the manner of laying out, constructing and maintaining the same,' approved March 15, 1893, and the same being chapter 123 of the laws of 1893.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 323, by Mr. Sharp: An act to amend sections 1740 and 1743 of Vol. 1 of Hill's Annotated Statutes and Codes of the State of Washington, being sections 4122 and 4125 of Ballinger's Code, relating to head gates upon irrigation ditches and fixing the penalty.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and referred to the Committee on Arid Lands.

House bill No. 280, by Mr. Callvert: An act amending section 1 of an act entitled "An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, main-

tain, conduct and operate water-ways, systems of sewerage, works for lighting, heating, fuel and power purposes, cable, electric and other railways, with all lands and property required therefor, providing for payment therefor, and repealing an act entitled 'An act relating to and authorizing cities and towns to purchase, construct and maintain water-works system and sewerage, etc.'

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 272, by Mr. Field: An act providing for the manner of locating and holding lode and placer mining claims; prescribing authority of mining districts.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 216, by Mr. Sims: An act regulating fraternal beneficiary societies, orders and associations, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 214, by Mr. Falknor: An act relating to cemeteries and burial places.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 431, by Committee on Horticulture: An act to amend sections 4, 12 and 14, chapter 109, page 308, Session Laws of 1897, of "An act to promote and protect the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a Commissioner of Horticulture; to repeal certain laws in conflict therewith," approved March 17, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee on Agriculture.

House bill No. 413, by Mr. Field (by request): An act to create

the county of Wenatchee: subject to the requirements of the state constitution and statutes in respect to the establishment of new counties.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 396, by Mr. Myers: An act amending section 12 of an act entitled "An act providing liens upon saw logs, spars, piles or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens, and the benefit thereof, and the manner and procedure of obtaining the same," approved March 15, 1893.

The bill was read the first time; and, on motion of Senator Baum, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 335, by Mr. Frye: An act to amend section 12 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease, and disposition of the state's granted, school, tide, oyster, and other lands, grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the state's constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," approved March 16th, 1897.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

House bill No. 342, by Mr. Palmer: An act defining the boundaries of King county.

The bill was read the first time, and on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Counties and County Boundaries.

House bill No. 304, by Mr. Pratt: An act amending section 2417, Vol. 1, Hill's Annotated Statutes and Codes of Washington, the same being section 15927 of Vol. 2, Ballinger's Codes and Statutes of Washington, in relation to an act for bonds to be taken for municipal contracts, and declaring an emergency.

The bill was read the first time; and, on motion of Senator T. J. Miller, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 293, by Mr. Allen: An act empowering the Board of Regents of the Agricultural College and School of Science to give bonds for the safe keeping of the arms and ordnance stores loaned by the United States to the college, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hall, the rules were suspended, the bill read the second time by title, and referred to the Committee on Military.

House bill No. 385, by Mr. Gleason: An act to provide for reducing costs and expenses in the administration of estates not exceeding one thousand dollars in value.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 260, by Mr. Wickersham: An act to amend section 47 of the Code of Washington of 1881, the same being section 4852 of Ballinger's Annotated Codes and Statutes of Washington, relating to venue in civil actions.

On motion of Senator Plummer the Senate adjourned at 12 M. until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll all members being present except Senators Clapp and Reinhart who were excused.

The following message was received from the House.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House bill No. 354 as reported and as so amended. The bill is ordered enrolled.

W. F. DILLON, Chief Clerk of the House.

House bill No. 83, by Mr. Colwell, an act making provisions for the incorporation of cemetery associations, was read the third time by sections.

Senator Hall moved to insert "blocks and" after the word "the" in line 1, section 8 of the printed bill, and insert after the word "such" in line 2 of said section, the words "blocks or."

The motion prevailed.

Senator Baum moved that the bill be placed on final passage.

The motion prevailed and the bill passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Runner, Schofield, Van Patten, Warburton, Wilshire, and Wooding—28.

Absent or not voting: Senators Biggs, Clapp, Miller David, Preston, Reinhart, and Yeend—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Megler the rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 79, by Mr. Gleason, An act to provide for a museum at the University, was read the third time by sections.

Senator Warburton moved to insert after "value," in line 3, section 1, "until the state capitol is completed."

The motion was lost.

The bill was placed on final passage, and passed by the following vote: Yeas 31, nays 0, absent or not voting 3.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—31.

Nays: None.

Absent or not voting: Senators Biggs, Clapp, and Reinhart—3.

On motion of Senator Megler, the rules were suspended, and the bill ordered immediately transmitted to the House.

House bill No. 65, by Mr. Baldwin, An act relating to the assessment and collection of taxes against persons moving from county, was read the third time by sections.

Senator Schofield moved to insert the words "firm, company or corporation" after the word "person," in lines 1 and 5, section 1, and lines 2 and 4, in section 2.

The motion prevailed.

Senator Preston moved to substitute for section 1 the following:

SECTION 1. If any person, firm or corporation shall remove from one county to another in this state personal property which has been assessed in the former county for a tax which is unpaid at the time of such removal, the treasurer of the county from which the property is removed shall certify to the treasurer of the county to which the property has been removed a statement of the tax, together with all delinquencies and penalties.

The motion prevailed.

The bill was placed on final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—29.

Nays: None.

Absent or not voting: Senators Baum, Biggs, Clapp, Davis, and Reinhart—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Keith, the rules were suspended, and the bill ordered immediately transmitted to the House.

H. B. 6, by Mr. Daniels, an act for admission of Indian war veterans to soldiers' home under laws 1890, was read the third time by sections.

A petition from Daniel F. Brownfield of Seattle, praying that the legislature amend the bill so as to admit Mexican war veterans, was read and placed on file.

On motion of Senator Hall, the bill was recommitted.

H. B. 241, by Mr. Callvert, an act to repeal Laws 1897, providing a uniform system of public blanks, was read by the secretary.

Senator Crow moved to substitute Senate bill No. 127.

The motion prevailed and the secretary read Senate bill No. 127.

Senator Preston moved to strike sections 5 and 6.

The motion prevailed.

Senator Plummer moved to strike section 4.

The motion was lost.

The bill was placed on final passage and passed by the following vote: Yeas 18, nays 13, absent or not voting 3.

Those voting yea were: Senators Andrews, Baker, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Keith, LeCrone, Mantz, Megler, Miller David, Preston, Schofield, Warburton, Wilshire, and Wooding—18.

Those voting nay were: Senators Baum, Biggs, Carper, Davis, High, Hill, Land, McReavy, Miller T. J., Paul, Plummer, Runner, and Van Patten—12.

Absent or not voting were: Senators Clapp, Reinhart, and Yeend—3.

On motion of Senator Crow, the title was amended to read as follows: "An act providing for the compilation of forms of all public blanks and providing for the procuring thereof, and repealing an act entitled 'An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state, approved March 6th, 1897.' "

Senator David Miller gave notice that at the proper time he would move to reconsider the vote by which the bill passed.

House bill No. 226, fixing the venue of actions in justices courts, etc., was read the third time by sections.

Senator Preston moved to substitute for section 1 the following :

SECTION 1. All civil actions commenced before a justice of the peace in which one or more of the defendants reside in a city of five thousand or more inhabitants shall be brought before a justice of the peace of the precinct in which one or more of the defendants reside.

Senator Warburton moved to amend the motion by adding thereto "and there shall be no change of venue."

The amendment was lost.

The question recurring on the original motion, it was declared carried.

On motion of Senator Preston, section 3 was stricken.

The bill was placed on final passage and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baum, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David,

Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend—28

Absent or not voting were: Senators Baker, Biggs, Clapp, Davis, Reinhart, and Runner—6.

Senator Preston moved to amend the title by striking all after “courts.”

The motion prevailed.

On motion of Senator Megler the rules were suspended and the bill immediately transmitted to the House.

On motion of Senator Hall the Senate resolved itself into Committee of the Whole for the consideration of House bill No. 137, by Mr. Sharp, an act relating to the manufacture and sale of dairy products, and amending certain acts.

Senator Wooding in the chair.

The committee arose and reported back with the recommendation that the bill do pass with the following amendment :

Amend section 4 by adding thereto after the word “year” in line 7 “every person or corporation who shall engage in the business of purchasing or dealing in milk shall attach in a permanent manner to each can furnished by him or it to the producer a tag containing in plain figures a correct statement of the capacity thereof.”

On motion of Senator Megler the report was adopted.

On motion of Senator Hall the reading in the committee was considered the third reading.

The bill was placed on final passage and passed by the following vote: Yeas 30, nays none, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire and Wooding—30.

Absent or not voting: Senators Clapp, Miller T. J., Reinhart and Yeend—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hall the rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 40, by Mr. McDonald, an act to amend section 2, laws 1895, relating to maintenance of ferries by cities and counties, was read the third time by sections.

Senator Wilshire moved to substitute for section 1, the following :

SECTION 1. That section 2 of an act authorizing cities, towns and counties to purchase, construct and maintain ferries, approved March 20, 1895, be amended to read as follows: "Sec. 2. That any county within the state be and is hereby authorized to construct, or condemn and purchase, or purchase operate and maintain a ferry across any unfordable stream, lake, estuary or bay within or bordering on said county, together with all the necessary boats, grounds, roads, approaches and landings necessary or appertaining thereto, with full jurisdiction and authority to operate and maintain the same free or for toll, by and under the direction and control of the board of county commissioners of such county and as said board shall by resolution determine."

The motion prevailed.

Senator Hamilton moved to insert "or wharf at" after the word "across" in line 4, section 1.

The motion prevailed.

Senator Wilshire moved to insert "entitled an act" after the word "act" in line 1, section 1.

The motion prevailed.

Senator Preston moved to strike "is hereby declared to" in line 1, section 2 and add "s" to "exist" in same line.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Cole, Crow, Davis, Hamilton, Hammer, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Carper, Clapp, Hall, Hemrich, High, Keith, Miller David, and Reinhart — 8.

The emergency clause passed by the following vote: Yeas 25, nays 1, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Schofield, Warburton, Wilshire, and Wooding — 25.

Senator Plummer voted nay.

Absent or not voting: Senators Clapp, Hemrich, High, Reinhart, Runner, Van Patten, and Yeend — 8.

Senator Megler moved to amend the title by inserting after "amend," in line 1, "section 2 of," and add to title "and declaring an emergency."

The motion prevailed.

House bill No. 188, by Mr. Barlow, an act to require railroad companies to block frogs, switches, etc., was read the third time by sections.

Senator Land moved to place the bill on its final passage.

The motion prevailed, and the bill was placed on final passage and passed by the following vote: Yeas 21, nays none, absent or not voting 13.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Crow, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Paul, Plummer, Runner, Van Patten, Warburton, Wilshire, and Yeend — 21.

Nays none.

Absent or not voting: Senators Biggs, Clapp, Cole, Davis, Hall, High, Megler, Miller David, Miller T. J., Preston, Reinhart, Schofield, and Wooding — 13.

There being no objection, the title to the bill was ordered to stand as the title of the act.

House bill No. 179, by Mr. Lambert, an act relating to fees to be collected by the Secretary of State, and repealing an act entitled "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, and declaring an emergency," approved March 13, 1897, and declaring an emergency, was read by the secretary.

On motion of Senator Baum, action on the bill was deferred.

Senator Wilshire moved that Senate bill No. 108 together with the letter of transmittal be ordered returned to the House for correction.

The motion prevailed.

On motion of Senator Preston, House concurrent resolution No. 20, was taken from the table.

On motion of Senator Preston, the resolution was adopted.

House bill No. 130, by Mr. Gleason, for the protection of hotels, boarding houses and lodging houses, was read the third

time and placed on final passage and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Keith, LeCrone, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend—24.

Absent or not voting: Senators Biggs, Clapp, Davis, High, Hill, Land, Mantz, McReavy, Reinhart and Runner—10.

There being no objections the title of the bill was ordered to stand as the title of the act.

House bill No. 149, by Mr. Conway, an act to provide against the injury to public lands of the state; penalty, was read the third time by sections.

Senator Preston moved to insert "except by contract with the state" after "mineral" in line 6, section 1.

The motion prevailed.

Senator Schofield moved to amend section 1 by inserting "willfully" in line 1, after "shall," and by inserting "without having first purchased the same" after "law" in line 3.

The motion was lost.

Senator Wilshire moved to insert "or hold the same under contract with the state for the purchase thereof and occupy the same," after the word "lands," in line 2, section 2.

The motion prevailed.

Senator Wilshire moved to insert the words "or contractor" after "lessee," in lines 3, 5, and 6, section 2.

The motion prevailed.

Senator Preston moved to strike "lessee," in line 1, section 2, and insert "person" in lieu thereof.

The motion prevailed.

Senator Keith moved to strike all after "dollars," in line 3, section 3.

The motion was lost.

The bill was placed on final passage and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—29.

Nays: None.

Absent or not voting: Senators Baum, Clapp, High, Plummer, and Reinhart — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 91, by Mr. Totten, An act to change the time for the election of road supervisors, was read the third time by sections.

Senator Hamilton moved to strike "last Friday," in lines 4 and 5, section 1, of the engrossed bill, and insert "second Saturday" in lieu thereof.

The motion prevailed.

Senator Preston moved to add the following, to be known as section 2:

SEC. 2. That all acts and parts of acts in conflict with this act, so far as they fix a different time for such election, and only so far, are hereby repealed, and such elections shall be held upon the notice and in the manner provided by law.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 26, nays 1, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Schofield, Warburton, Wilshire, Wooding, and Yeend — 26.

Senator Van Patten voted nay.

Absent or not voting: Senators Baum, Biggs, Clapp, High, Keith, Preston, and Reinhart — 7.

There being no objections, the title of the bill was ordered to stand as the title to the act.

Senator Megler moved that the rules be suspended, and all bills passed to-day except House bill No. 241, be immediately transmitted to the House.

The motion prevailed.

Senator Plummer moved to adjourn at 5:25 P. M.

Senator Wilshire moved to amend that when the Senate adjourns it be at 6 P. M.

The motion as amended prevailed.

House bill No. 230, by Mr. Stocking, an act to remit delinquent taxes, penalty, etc., was read the third time by sections.

Senator Crow moved to strike "1895," in line 1, section 1, and insert in lieu thereof "1890."

The motion prevailed.

Senator Hall moved to insert after 1898, of the engrossed bill, "except where certificates have issued to purchasers other than the county, at sales for said unpaid taxes, penalty and interest.

The motion prevailed.

Senator Land moved to insert after "all," in line 3, section 1; "eleemosynary."

The motion was lost.

The bill was placed on final passage and passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Keith, LeCrone, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—24.

Absent or not voting: Senators Biggs, Clapp, Davis, High, Hill, Land, Mantz, McReavy, Reinhart, and Runner—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No, 21, by Mr. Heilig, An act authorizing and empowering cities of the first, second and third classes to regulate and license the riding of bicycles, tricycles and other like vehicles, and to construct, maintain and regulate the use of bicycle paths and roadways, and declaring an emergency, was read the third time by sections.

Senator Davis moved to strike "tricycles" wherever it appeared in the bill.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 22, nays 7, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Cole, Crow, Davis, Hamilton, Hammer, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Warburton, Wilshire, Wooding, and Yeend—22.

Those voting nay were: Senators Carper, Hall, Hemrich, Mantz, Preston, Runner, and Van Patten—7.

Absent or not voting were: Senators Clapp, High, Hill, Keith, and Reinhart—5.

The emergency clause failed to pass by the following vote: Yeas 8, nays 20, absent or not voting 6.

Those voting yea were: Senators Baum, Biggs, Cole, Hamilton, Hammer, McReavy, Megler, and Miller T. J.—8.

Those voting nay were: Senators Andrews, Carper, Crow, Davis, Hall, Hemrich, Hill, Land, LeCrone, Mantz, Miller David, Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend—20.

Absent or not voting: Senators Baker, Clapp, High, Keith, Reinhart, and Warburton—6.

On motion of Senator Yeend the emergency clause was stricken from the title.

On motion of Senator Davis, the Senate adjourned at 6:15 P. M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 2, 1899. }
10 o'clock A. M. }

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baum and Reinhart, who was excused on account of sickness.

On motion of Senator Plummer the reading of the journal was dispensed with and the journal considered approved.

A petition from F. S. Kitteredge and about 100 others praying the Senate to pass House bill No. 32, to prevent the dumping of sawdust into the rivers and salt waters of the State of Washington, was read and ordered placed on file.

The following resolution was introduced by Senator Andrews:

SENATE JOINT RESOLUTION NO. 16.

WHEREAS, The Honorable Isaac I. Stevens, the first Governor of Washington Territory did, in 1854, at the time of the organization of the

Territory, ship around Cape Horn complete sets of furniture for the use of the executive offices of the Territory, of which naught remains but two desks which were continuously in use by the governors and secretaries of the Territory, respectively, the same being now of no value except as historical mementoes and liable to be lost or destroyed: now therefore,

Be it Resolved by the State Senate, the House of Representatives concurring, That the Secretary of State be and is hereby instructed to deliver the said Governor's desk to the Ferry Museum at Tacoma, and the said Secretary's desk to the museum of the University of Washington at Seattle, that the same may be preserved as memorials of the early days of the pioneer statesmen of this commonwealth.

On motion of Senator Andrews the resolution was adopted.

On motion of Senator Andrews the rules were suspended and the resolution ordered immediately transmitted to the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 2, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 50, entitled "An act to amend section 80 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation of the several grants to the state by the United States, etc.'"

Also, Senate bill No. 75, entitled "An act relating to the School for Defective Youth, and amending sections 993, 1006 and 1016, of Volume I, Hill's Code of the State of Washington, and declaring an emergency," with the following amendments:

Section 1, line 1, of the printed bill, strike out the words "a reasonable compensation" and insert in lieu thereof the words "twenty-five dollars per annum." Section 1, line 11, of the printed bill, beginning with and including the word "provided," strike out the remainder of the section. Strike out section 2. Make section 3 read section 2; make section 4 read section 3.

Also, Senate bill No. 7, entitled "An act for the protection against the spread of Canadian and Russian thistles and for the destruction of the same, and for the payment of costs of destroying same," with the following amendments:

Section 8, lines 5 and 7, strike out the words "five" and insert in lieu thereof the word "ten," and add the following as section 8:

SEC. 8. Any citizen may notify the road supervisor or county commissioners of the presence of Canadian thistles or Russian thistles, who, upon receiving such notice shall enforce the provisions of this act; and failure upon the part of the road supervisor to act after notice from the county commissioners within ten days of such notice, shall subject him to a fine of not more than ten dollars for the first offense and not less than ten dollars or more than twenty dollars for each succeeding offense; and continued refusal or neglect shall subject him to removal from office.

Also, Senate bill No. 104, entitled "An act to amend section one (1) of an act entitled 'An act relating to maintenance, repairs and renewal of sidewalks in cities of the first, second or third class, and providing for payment therefor by the owners of abutting property, and declaring an emergency,' approved March 21, 1895," with the following amendments: Section 1, line 1, after the word "act," (of the printed bill) insert the words "entitled an act." Section 1, line 3, after the word "emergency," insert quotation marks. Section 1, line 24, insert the letter "e" in the word "chargeable." Section 1, line 26, after the word "front," insert the word "of."

Also, Senate bill No. 11, entitled "An act to amend section 55 of volume 2 of Hill's Codes of Washington, relating to the competency of jurors."

Also, Senate bill No. 13, entitled "An act to establish experiment stations for the propagation of eastern oysters in the waters of Willapa harbor and Samish bay, and making an appropriation therefor," with the following amendments: Section 1, line 2, strike out the words "Samish bay" and insert in lieu thereof the words "Puget Sound." Amend the title by striking out the words "Samish bay," and insert in lieu thereof the words "Puget Sound."

Also, Senate bill No. 44, entitled "An act to amend section 19 of an act entitled 'An act relating to appeals to the Supreme Court,' approved March 8, 1893."

Also, Senate bill No. 49, entitled "An act to amend section 2490, volume 1, Hill's Annotated Statutes and Codes of Washington, relating to swine unlawfully at large."

Also, Senate bill No. 105, entitled "An act providing for the construction of a sewer and a water system for the Washington School for Defective Youth and granting the right to acquire right-of-way therefor, making appropriation therefor, and declaring an emergency," with the following amendments: Strike out of the title the words "and a water system;" section 1, lines 4 and 5 of the printed bill, strike out the words and figures "fifteen hundred and five dollars (\$1,505.00)" and insert in lieu thereof the words and figures "twenty-five hundred dollars (\$2,500.00); strike out all of section 2; section 3, line 2, strike out "and 2" and strike out final "s" from "sections."

Also, Senate bill No. 108, entitled "An act to authorize and regulate the paroling of convicts, etc., with amendment as follows: Strike in title "and declaring an emergency;" strike section 5.

The House has refused to concur in Senate amendment to section 1 of House bill No. 226, entitled "An act fixing the venue of actions in justice courts in cities of five thousand or more inhabitants. Mr. Speaker has appointed as conference committee on the part of the House, Mr. Gose of Walla Walla, Mr. Somerindyke of King, and Mr. Sims of Cowlitz.

The House has passed House bill No. 122, entitled "An act for the relief of E. L. Koehler," and the same is herewith transmitted.

The House has concurred in Senate amendments to House bills Nos. 91, 21, 130, 65, and 40.

The House has concurred in Senate amendments to House bill No. 137, entitled "An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same or imitations thereof, etc.," as follows:

Amend title by striking "and declaring an emergency."

Sec. 2, line 4, strike " and," insert in lieu thereof "or."

Sec. 4, line 7, add after the word "year" "every person or corporation who shall engage in the business of purchasing or dealing in milk shall attach in a permanent manner to each can furnished by him or it to the producer a tag containing in plain figures a correct statement of the capacity thereof."

Sec. 6, line 4, transpose words "half pure" making it read "pure half."

Sec. 13, line 7, strike all after "article."

Strike all of line 8, and "food," in line 9.

Same section, line 7, after "article," insert "for analysis."

Section 23, line 2, strike "State Dairy Commissioners," insert in lieu "general."

Sec. 25, line 3, strike "whoever violates," insert in lieu "any person violating."

Sec. 26, line 18, strike "providing," insert in lieu "provided."

Sec. 27, line 5, strike "whoever," insert in lieu "any person who."

Sec. 28, line 6, strike "whoever violates," insert in lieu "any person violating."

Sec. 29, line 3, strike "applied to the dairy commissioner," all of line 4, insert in lieu "placed in the general fund."

Sec. 30, line 7, strike "State Dairy Commissioner," insert "general."

Sec. 31, line 10, strike "whoever violates," insert in lieu "any person violating."

Strike section 34.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Medicine, Surgery and Dentistry, to whom was referred Senate bill No. 90, entitled "An act to provide against the adulteration of food and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

D. E. BIGGS, Chairman.

We concur in this report: S. M. LeCrone, John H. Carper.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 89, entitled "An act relating to penalty and interest on

state, county and municipal taxes, which became due and payable prior to January 1, 1899, and where the property has not been sold to third parties and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: Oliver Hall, E. C. Keith, Ed. S. Hamilton, J. A. Cole.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 214, entitled "An act creating a commission on revenue and taxation, prescribing its personnel, term of office, duties and powers, salaries and emoluments, and limitations, and appropriating money for its operations, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in this report: Oliver Hall, E. C. Keith, Ed. S. Hamilton, J. A. Cole.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 252, entitled "An act to prevent the bringing of pauper children into the state of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

I concur in this report: L. B. Andrews.

Report adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 172, entitled "An act to amend section 1382, volume 1, Ballinger's Annotated Codes and Statutes of Washington, defining who may solemnize marriages," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

I concur in this report: L. B. Andrews.

Report adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 202, entitled "An act for the more effectual prevention of cru-

elty to animals," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

I concur in this report: L. B. Andrews.

Report adopted.

OLYMPIA, February 29, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 126, entitled "An act to amend an act entitled 'An act regulating common carriers, fixing maximum railroad freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment,' " have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: Harold Preston.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 226, entitled "An act appropriating money for the purpose of paying the outstanding obligations incurred by the Washington State Commissioners to the Trans-Mississippi and International Exposition," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis, A. Hemrich.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 156, entitled "An act appropriating the sum of \$285 for incidental expenses for the State Board of Health," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that at the end of line 8 the following be added: "To be paid out as provided by law upon proper vouchers," and as so amended the bill do pass.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis, A. Hemrich.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bills of the Fair store, \$1.75 for towels and soap, and Mills & Cowles, 40 cents for one lock, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be allowed in full.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis, A. Hemrich.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 66, entitled "An act to amend an act entitled 'an act to amend an act accepting the terms of the act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency, approved March 22, 1895, and providing further for the carrying into effect said grant, approved March 19, 1897, and to provide further for carrying into effect of said act of Congress, and to provide for the issuance of bonds and the appropriation of money for the carrying into effect of this act, and declaring an emergency," have had the same under consideration, and we respectfully report same back to the Senate, with the recommendation that the same do pass with the following amendments:

In section 4, line 5, of the printed bill, insert the words "upon authority of the State Printing Board," after the word "issue."

In section 5, line 5, of the printed bill, insert after the word "amendment," the word "thereto."

In section 26, line 18, of the printed bill, strike the word "semi" before "annually;" strike the word "and" after January and insert "or," and after the word "year" insert the words "as may be designated in the bond."

In section 31, line 53, strike the word "six" after the word "exceed" and insert the word "three."

In section 31, line 56, of the printed bill, insert after the word "paid" "in the order of their issue."

In section 31, line 58, of the printed bill, strike the balance of section 31 after the word "pay" in line 57, and add the words "the same." And strike the word "semi" in line 45 of said section.

In section 32, line 66, of the printed bill, insert the words "in said district" after the word "employees."

In section 32, line 68, of the printed bill, strike out the balance of the line after the word "provided," and all of line 69.

In section 32, line 73, of the printed bill, after the word "at" insert the words "not less than."

In section 33, line 77, of the printed bill, strike out the word "treasury" and insert "treasurer."

In section 33, line 83, of the printed bill, after the word "lands" insert the words "as shall equal ten per cent. of the entire amount of the contract price," and strike the balance of said sentence after said word "lands" to the period after the word "on" in line 85.

In section 33, lines 101 and 102, of the printed bill, strike out all of the proviso, commencing after the word "way" in said line 101.

In section 35, line 123, of the printed bill, strike the word "or" after the word "State."

In section 35, line 163, of the printed bill, strike the words "presentation to said treasurer" and insert the word "issue."

In section 38, lines 182 and 183, of the printed bill, strike the words "upon presentation thereof" and insert the words "in the order of their issue."

In section 39, line 191, of the printed bill, strike the words "but" and "of."

Respectfully submitted. . JOHN H. CARPER, Chairman.

We concur in this report: F. M. Baum, John I. Yeend, W. E. Runner.

On motion of Senator David Miller, the report was adopted and the bill made a special order for Friday at 10:30 A. M.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 71, entitled "An act providing for the payment of various claims against the State of Washington, as evidenced by certificates of indebtedness, making appropriations therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted. E. C. KERTH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis, A. Hemrich.

The report was adopted.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 228, entitled "An act for the relief of D. B. Ward, as State Immigration Agent, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be referred to the Committee on Claims and Auditing.

Respectfully submitted. AUGUSTUS HIGH, Chairman.

We concur in this report: Ed. S. Hamilton, Paul Land, John H. Carper, W. E. Runner, Harold Preston.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No 245, entitled "An act relating to the law of libel and providing for opportunity of retraction of libels," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted. JOHN H. CARPER, Chairman.

We concur in this report: Harold Preston, C. A. Mantz, H. D. Crow, John I. Yeend.

The report was adopted.

Senator Plummer moved that further reading of committee re-

ports on bills be dispensed with and the reports placed on general file, to be taken up with the bills.

The motion prevailed.

The following message was received from the House :

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 149, entitled "An act making it unlawful to injure or damage in any way the public lands of the State of Washington, and prescribing the punishment therefor."

W. F. DILLON, Chief Clerk.

Senate bill No. 222, by Senator T. J. Miller, an act amending sections 1 and 5 of "An act to provide for the location and erection of a capitol building and providing an appropriation therefor, and declaring an emergency," approved March 21, 1893, was placed on final passage and passed by the following vote: Yeas 21, nays 1, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Clapp, Cole, Crow, Davis, Hemrich, High, Hill, Keith, Land, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, Wooding, and Yeend—21.

Senator Van Patten voted nay.

Absent or not voting: Senators Baum, Biggs, Carper, Hall, Hamilton, Hammer, LeCrone, Mantz, Runner, Reinhart, and Wilshire—12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 7, by Senator Mantz, for protection against the spread of Canadian and Russian thistles, was read as amended by the House.

On motion of Senator Mantz, the Senate concurred in the House amendments by the following vote: Yeas 23, nays 2, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Clapp, Cole, Crow, Davis, Hall, Hamilton, High, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Plummer, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—23.

Those voting nay were: Senators Hill and Paul—2.

Absent or not voting were: Senators Baum, Biggs, Carper, Hammer, Hemrich, Keith, Miller T. J. Preston, and Reinhart—9.

On motion of Senator Mantz, the title was amended by adding “and prescribing the punishment for the violation of this act.”

On motion of Senator Mantz, the secretary was ordered to notify the House that the Senate had concurred in the House amendments, and had amended the title accordingly.

Senate bill No. 75, by Senator High, relating to the School for Defective Youth, etc., was read as amended by the House.

On motion of Senator High, the Senate refused to concur in the House amendments.

Senate bill No. 105, by Senator High, relating to the Washington School for Defective Youth, etc., was read as amended by the House.

On motion of Senator High, the Senate concurred in the House amendments by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend—30.

Nays: None.

Absent or not voting: Senators Baum, Biggs, Reinhart, and Warburton—4.

House bill No. 122, For the relief of E. L. Koehler, was read the first time, and on motion of Senator Davis the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

Senate bill No. 104, by Senator Megler, An act to amend an act entitled “An act relating to maintenance, repairs and renewals of sidewalks in cities of the first, second or third class, and providing for payment therefor by the owners of abutting property, and declaring an emergency,” approved March 21, 1895, was read as amended by the House.

On motion of Senator Megler, the Senate concurred in the House amendments by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Baum, Biggs, Hall, Land, Miller T. J., Reinhart, and Warburton — 7.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 108, entitled "An act to authorize and regulate the paroling of convicts," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

Senate bill No. 13, by Committee on Fisheries, An act to establish experiment stations for the propagation of Eastern oysters in the waters of Willapa harbor and Samish bay, and making an appropriation therefor, was read as amended by the House.

On motion of Senator Megler, the Senate concurred in the House amendments by the following vote: Yeas 22, nays 0, absent or not voting 12.

Those voting yea were: Senators Andrews, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, Mantz, McReavy, Megler, Plummer, Runner, Schofield, Van Patten, Wooding, and Yeend — 22.

Nays: None.

Absent or not voting: Senators Baker, Baum, Biggs, Davis, LeCrone, Miller David, Miller T. J., Paul, Preston, Reinhart, Warburton, and Wilshire — 12.

Senate bill No. 126, by Senator Runner, An act to amend an act entitled "An act regulating common carriers, fixing maximum railway freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of facilities for shipment, and providing for the due enforcement and observance of the rates so fixed, and of the regulations and prohibitions before referred to, and providing a method of determining the reasonableness of such rates and regulations, and making an appropriation therefor," approved March 13, 1897, was read by the secretary.

Senator Warburton moved to place the bill on final passage.

Senators Wilshire, T. J. Miller, and Warburton demanded a call of the Senate, which showed Senators Biggs, LeCrone, and Paul absent without excuse.

The sergeant-at-arms was instructed to bring in the absent Senators.

Senator Plummer moved to further dispense with the call of the Senate.

The motion prevailed.

The president appointed Senators High, Preston, and Warburton a conference committee on Senate bill No. 75; also Senators Preston, Plummer, and Mantz a conference committee on House bill No. 226.

Senator Biggs was noted present.

The question recurring on the motion of Senator Warburton to place Senate bill No. 126 on final passage, it was declared carried, and the bill was placed on final passage, and failed to pass by the following vote: Yeas 11, nays 20, absent or not voting 3.

Those voting yea were: Senators Carper, Crow, Hall, Hammer, Land, Mantz, Miller David, Preston, Van Patten, Wilshire, and Yeend — 11.

Those voting nay were: Senators Andrews, Baker, Biggs, Clapp, Cole, Davis, Hamilton, Hemrich, High, Hill, Keith, LeCrone, McReavy, Megler, Miller T. J., Plummer, Runner, Schofield, Warburton, and Wooding — 20.

Absent or not voting: Senators Baum, Paul, and Reinhart — 3.

Senator Runner gave notice that at the proper time he would move to reconsider the vote by which the bill failed to pass.

Senators Plummer and Warburton were excused until Monday.

On motion of Senator High the Senate adjourned at 1:05 P. M. until 2:30 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2:30 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baum, Plummer, Van Patten, and Warburton, who were excused.

The president signed the following bills:

House bill No. 186, by Mr. Callvert, An act repealing an act "An act establishing a board of pardons and defining its duties, and declaring an emergency," approved March 6, 1897, and an act entitled "An act to amend section 1 of an act entitled 'An act establishing a board of pardons and defining its duties and declaring an emergency,'" approved March 11, 1897, and declaring an emergency.

Senate bill No. 152, by Senator Davis, An act for the protection of employes, and to prohibit the practice of "blacklisting," and providing penalties for its violation.

Senate bill No. 108, by Senator Preston, An act for the reformation of criminals, and providing for employment of those leaving the prisons of the State of Washington, and the granting of paroles to prisoners.

On motion of Senator Wilshire House bill No. 248 was made a special order for tomorrow at 2 P. M.

Senate bill No. 160, by Joint Fisheries Committee, An act to regulate fishing for sturgeon in the Columbia river, etc., was read by the secretary and ordered referred to the Engrossing Committee.

The president appointed Senators Crow, Wilshire and Yeend a conference committee on Senate bill No. 27.

Senator Keith moved that the Senate resolve itself into a Committee of the Whole for the consideration of Senate bills No's. 218, 195, 182, 71 and 238.

The motion prevailed and the Senate went into Committee of the Whole, with Senator Hammer in the chair.

The president resumed the chair and the following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 108, entitled "An act to authorize and regulate the paroling of convicts."

Also, Senate bill No. 152, entitled "An act for the protection of employes, and to prohibit the practice of 'blacklisting,' and providing penalties for its violation."

And the same are transmitted herewith to the Senate.

The speaker has appointed as conference committee on the part of the

House, in reference to amendments on Senate bill No. 75, Messrs. Daniels, Thacker, and Bedford.

W. F. DILLON, Chief Clerk.

The Senate again went into Committee of the Whole, Senator Hammer in the chair.

The Committee arose and reported the bills back to the Senate, with the recommendation that Senate bills Nos. 218, 195 and 182 do pass; that Senate bills Nos. 71 and 238 do pass, with the following amendment.

Amend Senate bill No. 71 by adding to section 1 as per the following itemized statement:

Cert. No.	GENERAL FUND.	Debt.	Interest.
646.....	E. Dempsie, Regt., trav. ex., Cheney Normal.....	\$11 20	\$1 23
647.....	U. S. School Furn. Co., ink, Cheney Normal.....	2 50	27
648.....	Jones & Dillingham, window glass, Cheney Normal.....	9 60	1 05
649.....	Wamsley, Fuller & Co., apparatus, Cheney Normal.....	12 45	1 37
650.....	E. H. Butler & Co., books, Cheney Normal.....	14 56	1 60
651.....	E. D. Olmstead, Regt., trav. ex., Cheney Normal.....	11 20	1 23
671.....	City of Cheney, ex. drain ditch, Cheney Normal ..	15 00	1 56
662.....	J. R. Mulhern, trans. insane	9 65	1 02
669.....	David Stewart, services judge <i>pro tem</i>	10 00	1 04
711.....	E. W. Way, clerk Bd. Equalization, 1897	144 00	13 14
712.....	Hattie E. Letson, stenog. Bd. Equalization, 1897.....	45 00	4 10
713.....	Will D. Jenkins, postage Bd. Equalization, 1897.....	8 00	27
760.....	Graham Paper Co., judgment for paper.....	1,863 86	146 31
773.....	Elizabeth Romine, judgment	62 40	4 68
788.....	Spokane & Eastern Trust Co., judgment.....	37 15	2 08
791.....	Northwestern & Pacific Hypotheek bank, judgment.....	55 60	2 40
804.....	Dudley Eshelman, clerk Bd. Equalization, 1898.....	56 00	1 34
809.....	Seattle & Montana Ry. Co., judgment.....	20,417 00	79 21
		\$22,780 17	\$263 90 22,780 17
	Total general fund.....		\$23,044 07
	NORMAL SCHOOL FUND.		
635.....	Clark, Sharp & Truitt, judgment for brick, Cheney Normal.....	\$1,438 07	\$136 61
810... }	Frank G. Ketsow, two judgments, construction Cheney Normal.....	2,781 11	.....
812... }			
		\$4,219 18	..... \$4,219 18
	Total Normal School fund		\$4,355 79
	MILITARY FUND.		
645.....	E. L. Koehler, judgment, rent armory.....	\$565 80	\$63 37
394... }			
458... }	G. A. Mottman, rent armory, Olympia	30 00	10 59
567... }			
		\$595 80	\$73 96 595 80
	Total military fund.....		\$669 76

Amend Senate bill No. 238 as follows: Strike "five" in line 3, section 7 ; strike sections 11 and 12.

On motion of Senator Keith, the report of the committee was adopted.

On motion of Senator Preston, the title of Senate bill 238 was amended by striking "and declaring an emergency," and insert after "therefor," and before "making," the word "and."

On motion of Senator Megler, section 2 was stricken from Senate bill 71, and the title amended by striking "and declaring an emergency," and inserting "and" after indebtedness.

On motion of Senator Megler, section 6 was stricken from Senate bill 182.

On motion of Senator Keith, section 16 was stricken from Senate bill 195.

On motion of Senator Davis, the title was amended by striking "and declaring an emergency."

On motion of Senator Megler, the reading of the bills in the committee was considered the third reading of the bills.

On motion of Senator Keith the bills were referred to the Engrossing Committee.

SENATE CHAMBER.

OLYMPIA, WASH., March 2, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill, No. 11, entitled "An act to amend section 55, of Volume 2 of Hill's Codes of Washington, relating to the competency of jurors," have had the same properly enrolled.

Respectfully submitted.

E. C. KEITH.

I concur in this report: John I. Yeend.

On motion of Senator Clapp, Senate bill No. 36, was indefinitely postponed.

Senate bill No. 239, by Senator Biggs, An act providing for validating leases heretofore made by cities or towns of streets or portions thereof, upon the water front within or in front of cities or towns, and declaring an emergency, was placed on final passage and passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Preston, Runner, Schofield, Wilshire, and Wooding — 27.

Nays: None.

Absent or not voting: Senators Baum, Miller T. J., Plummer, Reinhart, Van Patten, Warburton, and Yeend — 7.

The emergency clause passed by the following vote: Yeas 25, nays none, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Preston, Schofield, Wilshire, and Wooding — 25.

Nays none.

Absent or not voting: Senators Baum, Keith, Miller T. J., Plummer, Reinhart, Runner, Van Patten, Warburton, and Yeend — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Biggs, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 185, by Senator Davis, an act to amend Laws, Section 69, Laws 1897, investment of the permanent school fund, was placed on final passage and passed by the following vote: Yeas 25, nays none, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller David, Miller T. J., Paul, Preston, Schofield, Wilshire, Wooding, and Yeend — 25.

Nays none.

Absent or not voting: Senators Baum, Crow, Hall, Megler, Plummer, Reinhart, Runner, Van Patten, and Warburton — 9.

The emergency clause passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Schofield, Wilshire, Wooding, and Yeend — 27.

Nays none.

Absent or not voting were: Senators Baum, Hall, Plummer, Reinhart, Runner, Van Patten, and Warburton — 7.

There being no objections the title of the bill was ordered to stand as the title of the act.

On motion of Senator Davis, the bill was referred to the Engrossing Committee.

RESOLUTION BY ENROLLING COMMITTEE.

Resolved, That two assistant enrolling clerks be appointed, and said clerks shall be Miss Ida Chambers and Miss Tugwell.

On motion of Senator Cole, the resolution was adopted.

The president signed Senate bill No. 11, by Senator T. J. Miller, relating to the competency of jurors.

Senate bill No. 178, by Senator Hemrich, requiring horse-shoers to pass civil service examination, was placed on final passage and passed by the following vote: Yeas 20, nays none, absent or not voting 14.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hemrich, High, Keith, Land, LeCrone, McReavy, Megler, Miller T. J., Schofield, Wilshire, and Wooding — 20.

Absent or not voting: Senators Baum, Hall, Hammer, Hill, Mantz, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Van Patten, Warburton, and Yeend — 14.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 207, by Senator Land, an act providing for the auditing and allowance of expense accounts for all state and county officers, and providing for penalties for the violation thereof, was read the third time by sections.

Senator Davis moved to strike "state or" in line 1, section 1. The motion was lost.

Senator Wilshire moved to strike all after "is paid" in line 10, all of line 11, all of line 12, section 1, except "such."

The motion was lost.

Senator Wilshire moved to insert "for all items of expenditure exceeding fifty cents" after "subsistence" in line 8, section 1.

The motion prevailed.

The bill was ordered referred to the Engrossing Committee.

The following resolution was offered by Senator Hamilton:

Resolved, That the secretary be and is hereby instructed to furnish to the chairman of the Enrolling and Engrossing Committees such additional clerical help as they may need by transferring the committee clerks now engaged but employed only at intervals.

On motion of Senator Hamilton, the resolution was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 239, entitled "An act providing for validating leases heretofore made by cities or towns of streets, or portions thereof, upon the water front, within or in front of cities or towns, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 11, entitled "An act to amend section 55 of volume 2 of Hill's Codes of Washington, relating to competency of jurors," and the same is herewith transmitted to the Senate.

W. F. DILLON, Chief Clerk.

House bill No. 107, by Mr. Bedford, in regard to the investment of the permanent school fund, was read the third time by sections.

Senator Preston moved to amend by striking "it shall be the duty of," in line 1, section 1, and inserting after the word "Washington," "is hereby authorized and empowered."

The motion was lost.

On motion of Senator Schofield, the bill was placed on final passage, and passed by the following vote: Yeas 20, nays 3, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Schofield, Wilshire, Wooding, and Yeend — 20.

Those voting nay were: Senators Carper, Mantz, and Preston — 3.

Absent or not voting: Senators Baum, Biggs, Hall, Hill, Land, Paul, Plummer, Reinhart, Runner, Van Patten, and Warburton — 11.

The emergency clause failed to pass by the following vote: Yeas 22, nays 3, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Wilshire, and Wooding — 22.

Those voting nay were: Senators Mantz, Preston, and Schofield — 3.

Absent or not voting: Senators Baum, Hill, Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, and Yeend — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Schofield gave notice that at the proper time he would move to reconsider the vote by which the emergency clause failed to pass.

Miss H. L. Tugwell was sworn in as assistant enrolling clerk.

House bill No. 108, by Mr. Bedford, authorizing the issuance of state bonds and the investment of the permanent school funds therein, was read the third time by sections, and on motion of Senator Hamilton was placed on final passage and passed by the following vote: Yeas 22, nays 2, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Schofield, Wooding, and Yeend — 22.

Those voting nay were: Senators Mantz and Preston — 2.

Absent or not voting: Senators Baum, Biggs, Hall, Land, Plummer, Reinhart, Runner, Van Patten, Warburton, and Wilshire — 10.

The emergency clause passed by the following vote: Yeas 24, nays 2, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Schofield, Wooding, and Yeend—24.

Those voting nay were: Senators Mantz and Preston — 2.

Absent or not voting: Senators Baum, Land, Plummer, Reinhart, Runner, Van Patten, Warburton, and Wilshire — 8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Wilshire moved to adjourn at 5:20 P. M., until 7:30 P. M.

Senator Hamilton moved to amend that the Senate adjourn at 6 o'clock P. M., until 10 o'clock A. M., to-morrow.

The motion as amended prevailed.

On motion of Senator Wilshire, Senate bill No. 76, by Senator Crow, to provide for the assessment and collection of taxes, etc., was indefinitely postponed.

On motion of Senator Biggs, action on Senate bill No. 158 was deferred.

Senate bill No. 22, by Senator T. J. Miller, an act to establish the legal rate of interest in the State of Washington, and to prevent usury, was read the third time by sections.

Senator Preston moved to strike "six" in line 4 section 4 and insert "eight" in lieu thereof.

The motion prevailed.

On motion of Senator Yeend, Senate bill No. 176 was indefinitely postponed.

On motion of Senator Wilshire, Senate bill No. 196 was made a special order for 2 P. M., and Senate bill No. 163 a special order for 2:30 P. M., to-morrow.

Senate bill No. 17, by Senator Biggs, to appropriate certain moneys for the support of fire departments, was read the third time by sections.

Senator Biggs moved the following amendments:

Insert in blank spaces in line 3, section 1, "15th day of February."

Insert in blank spaces in line 6, section 2, "31st of December."

Insert in blank spaces in line 1, section 3, "15th of March,"

The motion prevailed.

The bill was ordered referred to the Engrossing Committee.

On motion of Senator Cole, Senate bill No. 14, was indefinitely postponed.

Senate bill 141, by Senator Schofield, an act to amend Sec. 16, Laws 1890, relating to municipal corporations etc., was read the third time and on motion of Senator Schofield, was referred to the Engrossing Committee.

Senate bill 98, by Senator Preston, an act to provide for the incorporation and to regulate the business of co-operative mining companies, was read the third time.

Senator Preston moved to insert after shall in line 1, the word "hereafter."

The motion prevailed, and the bill was ordered referred to the Engrossing Committee.

On motion of Senator David Miller, the Senate adjourned at 6:05 P. M., until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-FOURTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, March 3, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Plummer and Warburton, who were excused.

On motion of Senator Wooding, the reading of the minutes was dispensed with and the journal approved.

MESSAGE FROM THE HOUSE.**HOUSE OF REPRESENTATIVES,**

OLYMPIA, WASH., March 3, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 354, entitled "An act relating to the sales of property under execution, decrees and orders of sale, and the confirmation of sheriff's sales, etc.," and the same is herewith transmitted to the Senate for the president's signature.

A. C. RUNDLE, Assistant Chief Clerk.

The president signed the above House bill.

On motion of Senator Baum, the Senate concurred in the House amendments to Senate bill No. 130 by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Mantz, Plummer, Runner, and Warburton — 4.

Senator Baum moved to amend the title as follows: Strike out all the words following "beginning at," in the first line, down to and including the word "pass," and insert in lieu thereof the following words: "The nearest practicable point at the mouth of the Sans Poil creek, in Ferry county; thence in a northerly

direction up the Sans Poil Creek by the most feasible and practicable route to the town of Republic."

The motion prevailed.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

Owing to the indisposition of Mr. Thacker, it is impossible for him to serve as a member of the Conference Committee on Senate bill No. 75. Mr. Speaker has appointed in his stead Mr. H. E. Allen.

The House has passed House bill No. 284, entitled "An act providing for the compulsory attendance of children in the public schools in cities of more than ten thousand inhabitants."

Also, House bill No. 380, entitled "An act for the protection of game animals and birds, song birds and game fish, creating the office of State Game Warden, and defining duties and imposing additional duties on county and game wardens."

Also, House bill No. 440, entitled "An act to provide for the official measurement of all milk cans or other vessels used in the shipping and sale of milk, sealing and stamping the capacity thereon, and fixing a penalty for using unsealed milk cans or vessels."

Also, House bill No. 508, entitled "An act to define the liabilities of railroad corporations in relation to damages sustained by their employes, and to define who are fellow servants and who are not fellow servants, and to prohibit contracts limiting liability under this act."

And the same are herewith transmitted.

The House has concurred in the amendments to House bill No. 188 and House bill No. 108, as reported by the Senate.

The House has passed Senate bill No. 259, entitled "An act making appropriations for legislative expenses.

And the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

Sections 1 and 2 of Senate bill No. 66, by Senator David Miller, An act to amend an act entitled "An act to amend an act accepting the terms of the act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein," etc., was read by the secretary.

Senator Wilshire moved that the Senate resolve itself into a Committee of the Whole for the further consideration of the bill.

The motion prevailed, and the Senate went into Committee of the Whole, Senator Crow in the chair.

The Committee arose and reported the bill back to the Senate

with the recommendation that the bill do pass with the following amendments:

Strike "shall" in line 16, section 26, and insert "may" in lieu thereof.

Strike "of state" after the word "treasurer" in line 51, section 31.

Strike "of" after the word "county," in line 136, section 35.

Strike "\$15,500" in line 262, section 50, and insert "fifteen thousand (\$15,000) dollars," in lieu thereof.

Strike section 51 and insert in lieu thereof "Sec. 51. An emergency exists and this act shall take effect immediately."

On motion of Senator Davis the report was adopted.

Senator David Miller moved that the reading of the bill in the committee be considered the third reading of the bill.

The motion prevailed and the bill was ordered referred to the Engrossing Committee.

On motion of Senator Keith, House bill 248, which was made a special order for to-day at 11 A. M., was made a special order for Monday at 2 P. M.

Senator Hamilton moved a reconsideration of the vote by which House bill 248 was made a special order for Monday at 2 P. M.

The motion prevailed.

The question recurring on the motion to make the bill a special order for Monday at 2 P. M., it was declared lost.

The secretary read the report of the committee on the bill.

Senator Wilshire moved to make the bill a special order for 2 P. M. Monday.

The motion prevailed.

Senator Preston moved that Miss Alice Slee be appointed assistant enrolling clerk.

The motion prevailed.

Senate bill 160, by Joint Fisheries Committee, an act to regulate fishing for sturgeon in the Columbia river, etc., was placed on final passage and passed by the following vote: Yeas 29, nays none, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Wooding—29.

Absent or not voting: Senator Hall, Miller David, Plummer, Warburton, and Yeend — 5.

The emergency clause passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Wooding — 27.

Absent or not voting were: Senators Biggs, Crow, Hamilton, Miller David, Plummer, Warburton, and Yeend — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 185, entitled "An act amending section 69 of an act entitled 'An act to provide for the selection, survey, management, lease and disposition of the state's granted lands, etc.,'" have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

Senate bill No. 218, by Senator Keith, amending section 12 of an act entitled "An act providing for the survey and establishment of a state road; creating a commission; defining its duties, and making an appropriation therefor, and declaring an emergency," approved March 18, 1897, was placed on final passage and passed by the following vote: Yeas 25, nays 1, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Davis, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Reinhart, Schofield, Wilshire and Wooding—25.

Senator Runner voted nay.

Absent or not voting: Senators Crow, Hall, Hamilton, Miller David, Plummer, Van Patten, Warburton and Yeend—8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator David Miller, the vote by which House bill No. 241 passed was reconsidered.

On motion of Senator David Miller, the bill was made a special order for Monday at 3 P. M.

Senate bill No. 195, by Senator Paul, an act to establish a state road from Wilbur to Republic; appropriation \$10,000, was placed on final passage and passed by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Cole, Crow, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Wilshire and Wooding—26.

Absent or not voting: Senators Biggs, Carper, Hamilton, McReavy, Plummer, Van Patten, Warburton and Yeend—8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House memorial No. 9, relating to the improvement of the Columbia river, was placed on final passage and passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Carper, Cole, Crow, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Runner, Schofield, Van Patten, Wilshire, Wooding and Yeend—27.

Absent or not voting: Senators Baker, Biggs, Clapp, Hamilton, Plummer, Preston and Warburton—7.

Senator T. J. Miller gave notice that at the proper time he would move to reconsider the vote by which the memorial passed.

Senator David Miller introduced the following resolution:

Resolved, That H. L. Bowmer be allowed 50 cents per day from the beginning of the session for his services as messenger, and the secretary of the Senate is hereby authorized and directed to draw the necessary voucher for the sum of \$30.00 in payment of the same.

By consent of the Senate, Senator David Miller withdrew the resolution.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

OLYMPIA, WASH., March 2, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 160, entitled "An act to protect sturgeon and to regulate the time and manner for fishing for sturgeon in the waters of the Columbia river, prohibiting the use of Chinese hooks in the waters of this state,

providing a penalty, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 182, entitled "An act providing for the repair of the Snoqualmie Pass wagon road, and appropriating funds therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 71, entitled "An act providing for the payment of various claims against the State of Washington, as evidenced by certificates of indebtedness, and making appropriations therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 195, entitled "An act to provide for the establishment and maintenance of a state road from the town of Bridgeport, in Douglas county, to the town of Republic, in Stevens county, and making an appropriation therefor," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 218, entitled "An act amending section 12 of an act entitled 'An act providing for the survey and establishment of a state road, creating a commission, defining its duties, and making an appropriation therefor, and declaring an emergency,' approved March 18, 1897," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

The president called President *Pro Tem* Senator High to preside.

Senate bill No. 182, by Senator Land, An act to provide for repair of Snoqualmie Pass wagon road, etc., was placed on final passage and passed by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Baum,

Biggs, Carper, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Preston, Schofield, Wilshire, and Wooding—23.

Absent or not voting: Senators Clapp, Cole, Crow, Hamilton, Miller David, Plummer, Reinhart, Runner, Van Patten, Warburton, and Yeend.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Keith moved that all bills passed today be ordered immediately transmitted to the House under suspension of the rules.

Senator Hamilton gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 218 passed.

The president resumed the chair.

Senator Yeend was excused until Monday.

On motion of Senator Land the Senate adjourned at 12 M. until 2 P. M.

AFTERNOON SESSION. •

The president called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Plummer and Warburton, who were excused.

Senate bill No. 238, by Senator Baker, An act providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from a point on the county road which runs from Washougal, Clarke county, Washington, to or near the mouth of the Klickitat river in Klickitat county, Washington, creating a commission therefor, making an appropriation therefor, and declaring an emergency, was placed on final passage and passed by the following vote: Yeas 22, nays none, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Van Patten, and Wilshire—22.

Absent or not voting: Senators Biggs, Hamilton, Hammer, Miller David, Plummer, Preston, Reinhart, Runner, Schofield, Warburton, Wooding, and Yeend — 12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller the rules were suspended and the bill ordered immediately transmitted to the House.

The president signed the following bills :

Senate bill No. 50, entitled "An act to amend section 30 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States ; creating a board of appraisers and a board of harbor line commissioners, etc.' as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, defining their duties and making an appropriation therefor, and declaring an emergency, being chapter 89, Session Laws of 1897.

Senate bill No. 13, entitled "An act to establish experiment stations for the propagation of eastern oysters in the waters of Willapa harbor and Samish bay, and making an appropriation therefor."

The president appointed Senators Land and Cole on the committee pursuant to House concurrent resolution No. 21.

Senator Hamilton introduced the following resolution :

Resolved, That when this Senate adjourns it be to meet at 7:30 P. M., to take up House bill No. 285, entitled "An act relating to negotiable instruments," and any other business which may properly come before the Senate.

On motion of Senator Hamilton the resolution was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 22, entitled "An act to establish the legal rate of interest in the State of Washington, to prevent usury, and to provide for the establishment of the rate of interest on public warrants," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 238, entitled "An act providing for the survey, establishment and construction of a state road, along the north bank of the Columbia river, from a point on the county road, which runs from Washougal, Clarke county, Wash., to Cape Horn in Skamania, Wash.," etc., have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 207, entitled "An act providing for the auditing and allowance of expense accounts for all state and county officers, and providing for penalties for the violation thereof," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 49, entitled "An act to amend section 2490, Vol. 1, Hill's Annotated Statutes and Codes of Washington, relating to swine unlawfully at large," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above Senate bill No. 49.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled bills, to whom was referred Senate bill No. 44, entitled "An act to amend section 19 of an act entitled 'An act relating to appeals to the Supreme Court,' approved March 8, 1893," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president of the Senate signed Senate bill No. 44.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 249, entitled "An act making appropriation for Legislative expenses," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president of the Senate signed the above Senate bill No. 249.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 141, entitled "An act to amend section 16 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, the same being section 508 of volume 1 of Hill's Code, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate Bill No. 98, entitled "An act to provide for the incorporation and to regulate the business of co-operative mining companies," have had the same properly engrossed.

Respectfully submitted.

C. A. MANTZ, Chairman.

I concur in this report: Harold Preston.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 222, entitled "An act amending sections 1 and 3 of 'An act to provide for the location and erection of a Capitol building and providing an appropriation therefor and declaring an emergency,' approved March 21, 1893," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above Senate bill No. 222.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 17, entitled "An act to appropriate for the support of fire departments of each city, town or village in the State of Washington, except cities of the first class, a part of the premiums received by fire insurance companies in any such city, town or village," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

Senator Megler moved that one more Senator be added to the Engrossing Committee.

The motion prevailed.

On motion of Senator Wilshire, the rules were suspended and House bill No. 439, An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending sections

3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and repealing sections 100, 101, 106, 110, 113, 115, 117, 118, and 121 thereof, and by adding adding sections 97½, 119¼, 119½, 119¾, 120¼, 120½, and 120¾ to said act, and declaring an emergency, was taken up and read the third time by sections.

Senator Mantz moved to amend section 1 by striking all after “abroad,” in line 10; all of lines 11, 12, 13 and 14.

Senators Hamilton, Mantz, T. J. Miller, Megler, Runner, and Van Patten demanded the roll call on the motion, which was lost by the following vote: Yeas 6, nays 22, absent or not voting 6.

Those voting yea were: Senators Carper, Mantz, Megler, Miller David, Runner, and Van Patten—6.

Those voting nay were: Senators Andrews, Baker, Baum, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, McReavy, Miller T. J., Paul, Preston, Schofield, Wilshire, and Wooding—22.

Absent or not voting: Senators Biggs, Keith, Plummer, Reinhart, Warburton, and Yeend—6.

Senator Hemrich moved to strike “interstate,” in line 12, section 1, and insert “coastwise” in lieu thereof.

Senator Schofield moved a substitute for the motion that the words “interstate or” be stricken from line 12, section 1.

Senator Schofield withdrew his substitute.

Senator Wilshire moved to amend the motion by inserting after “coastwise,” in line 12, section 1, “interstate trade.”

The motion as amended prevailed.

Senator Mantz moved to strike section 1.

The motion was lost.

Senator Mantz moved to amend section 1 by inserting after the end of line 14, the following:

Provided further, All wheat raised in this state to be exported to foreign ports shall be exempt from assessment and taxation in this state; such wheat not being deemed property in this state.

The motion was lost.

Senator Schofield moved to strike “householder,” in line 41, section 2, and insert “head of a family,” in lieu thereof.

The motion prevailed.

Senator Wilshire moved to insert section 3 of the original printed bill as section 3 of the engrossed bill, as follows:

SEC. 3. That section twenty-one of said act is hereby amended to read as follows: Sec. 21. All the shares of stock in banks, whether of issue or not, existing by authority of the United States or of the state, and located within the state, shall be assessed to the owners thereof in the cities or towns where such banks are located, and not elsewhere, in the assessment of all state, county and municipal taxes imposed and levied in such place, whether such owner is a resident of such city or town or not. All such shares shall be assessed as follows: From the par value of the total amount of the paid up capital and surplus of each bank there shall be deducted the amount invested by said bank in real estate, and the amount invested by said bank in shares of stock or of property of other companies, corporations and associations, which are required by law to list for taxation their property within this state, or which are required by law to pay taxes within this state upon the shares of their own stock. Each shareholder shall be assessed his proportionate part of the full and fair value in money of the remainder on the first day of March in each year at the same rate and no greater than at which other moneyed capital in the hands of citizens and subject to taxation is by law assessed, and the persons or corporations who appear from the records of banks to be owners of shares at the close of the business day next preceding the first day of March in each year shall be taken and deemed to be the owners thereof for the purposes of this section.

Senator Hamilton asked consent to withdraw his notice to move to reconsider the vote by which Senate bill No. 218 passed, which consent was granted.

Senator T. J. Miller informed the Senate that he accompanied a messenger to the governor, who duly presented Senate bill No. 222, which had passed the House and Senate, for his signature, and he refused to receive it.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 3, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 13, entitled "An act to establish experiment stations for the propagation of eastern oysters in the waters of Willapa Harbor and Puget Sound, and making an appropriation therefor."

Also, Senate bill No. 44, entitled "An act to amend section 19 of an act relating to appeals to the Supreme Court, approved March 8, 1893."

Also, Senate bill No. 49, entitled "An act to amend section 2490, volume 1, Hill's Annotated Statutes and Codes of Washington, relating to swine unlawfully at large."

Also, Senate bill No. 50, entitled "An act to amend section 30 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, etc.'"

Also, Senate bill No. 249, entitled "An act making appropriation for legislative expenses."

Also, Senate bill No. 222, entitled "An act amending sections 1 and 3 of an act to provide for the location and erection of a capitol building and providing an appropriation therefor, and declaring an emergency," approved March 21, 1893.

The House has passed Senate bill No. 222, entitled "An act amending sections 1 and 3 of an act to provide for the location and erection of a capitol building and providing an appropriation therefor, and declaring an emergency," approved March 21, 1892.

Also, House bill No. 519, entitled "An act providing for the payment of certain delinquent and accrued interest, making an investment of the permanent school fund, making an appropriation therefor, and declaring an emergency."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 105, entitled "An act providing for the construction of a sewer for the Washington School for Defective Youth and granting the right to acquire right-of-way therefor, making appropriation therefor, and declaring an emergency," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 248, entitled "An act relating to revenue and taxes on real property which became delinquent during the year 1897, and all the years prior thereto, remitting all penalties and interest thereon if paid on or prior to the first day of November, 1899, and declaring an emergency," have had the same under consideration, and report the same back to the Senate, with the recommendation that it be amended by inserting the following as section 2:

SEC. 2. That a board is hereby constituted in each county to consist of the board of county commissioners, the county treasurer and county assessor of each county of which the chairman of the board of county commissioners shall be the chairman and the county assessor clerk, which shall meet on the first Monday of each month during its existence, and oftener if necessary, and hear the applications of owners of real estate on which there are delinquent taxes for any of the years mentioned in the preceding section for a remission of such taxes in addition to the remission of penalty and interest provided in the preceding section caused by excessive valuation or assessment of such property. and said board, a majority thereof concurring, shall have the power to grant such additional remission in all cases when it shall appear to the satisfaction of said board that such valuation and assessment was excessive: *Provided*, Said board shall not make a greater reduction or remission than upon the basis of a valuation as equalized in 1897, except by vote of four-fifths of the members of said board.

And the following as section 3:

SEC. 3. That the clerk of said board shall certify to the county treasurer all remissions made by said board, and the county treasurer shall then receive in full satisfaction of the tax assessed against any property, the amount of said tax remaining after such remission, but such remission shall not be operative after the first day of November, 1899, nor shall payment of delinquent taxes for less than the amount of the original tax with penalty and interest as provided by the law in force when such tax is levied be received after said first day of November, 1899.

That section 2 of the engrossed bill be numbered section 4.

And your committee recommends that the bill be placed on general file.

Respectfully submitted.

W. W. WILSHIRE, Chairman.

We concur in the above report: E. C. Keith, J. A. Cole, Joseph Hill, Ed. S. Hamilton.

The bill was ordered printed with the foregoing amendments.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 393, entitled "An act amending section 6 of an act entitled 'An act to regulate the leasing of mineral lands belonging to the State of Washington and declaring an emergency,' approved March 17, 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report: E. C. Keith, J. A. Davis, W. E. Runner, C. A. Mantz, Herman D. Crow.

The report was adopted.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 272, entitled "An act providing for the manner of locating and holding lode and placer mining claims, prescribing authority of mining districts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

F. M. BAUM, Chairman.

We concur in this report: E. C. Keith, Herman D. Crow, J. A. Davis, W. E. Runner, C. A. Mantz.

The report was adopted.

The following resolution was offered by Senator T. J. Miller:

Be it Resolved, That a committee of three members of the Senate wait upon the Governor and respectfully request on behalf of the Senate that the Governor receive today Senate bill No. 222, which passed the Senate March 2, 1899 and the House of Representatives March 3, 1899.

On motion of Senator Hamilton, the resolution was laid on the table.

On motion of Senator Keith the Senate adjourned at 5:20 P. M. until 7:30 P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baker, Biggs, Plummer, Reinhart and Yeend.

The following resolution was introduced by Senator Wooding, and on motion it was adopted as amended.

Resolved, That from this date no member of the Senate shall speak upon any question or during any debate for a period longer than five minutes, except by unanimous consent.

The following report of the enrolling committee was read.

OLYMPIA, WASH., March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 7, entitled "An act for the protection against the spread of Canada and Russian thistles and for the destruction of the same, and for the payment of costs of destroying same, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

House bill No. 285, entitled "An act relating to negotiable instruments," was read the third time by sections.

Senator Davis moved to amend section 17 by striking lines 13 and 14.

The motion was lost.

Senator Davis moved that the Senate adjourn at 9 o'clock.

The motion was lost.

On motion of Senator Hamilton, the bill was placed on final passage, and passed by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Kieth, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Schofield, Warburton, Wilshire, and Wooding — 25.

Those voting nay were: Senators Davis and Runner — 2.

Absent or not voting: Senators Baker, Biggs, High, Plummer, Reinhart, Van Patten, and Yeend— 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The President of the Senate signed the following bills:

Senate bill No. 105: An act concerning the Washington School for Defective Youth, providing for constructing a sewer and supplying water to said institution, and the right to condemn a right-of-way for said purposes, making an appropriation therefor, and declaring an emergency.

Senate bill No. 7, entitled: "An act for protection against the spread of Canada and Russian thistles, and for the destruction of the same, and for the payment of costs for destroying same."

On motion of Senator Megler the rules were suspended and House bill No. 285, was ordered transmitted to the House immediately on concurring to-morrow.

House bill No. 160, entitled: "An act to amend an act entitled 'An act in relation to recognizances, stipulations, bonds and undertakings,' approved March 17, 1897, and declaring an emergency," was read the third time by sections. Senator Wilshire moved to amend Sections 1, by striking the proviso at the end of section 1, and insert the word "hereafter" after the word "and" at the end of line 7. The amendments carried. On motion of Senator Wilshire the bill was placed on final passage and passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baum, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller, T. J., Paul, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding.

Absent or not voting: Senators Baker, Biggs, Carper, High, Land, Mantz, Plummer, Reinhart, Runner, and Yeend.

The emergency clause passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller

T. J., Paul, Schofield, Van Patten, Warburton, Wilshire and Wooding—24.

Absent or not voting: Senators, Baker, Biggs, High, Land, Mantz, Plummer, Preston, Reinhart, Runner, and Yeend—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilshire the rules were suspended and House bill No. 160 was ordered transmitted to the House immediately upon convening to-morrow.

The following reports were read by the secretary.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, the undersigned Senate Committee, appointed to confer with a like committee of the House on amendments to Senate bill No. 27, report that we have been unable to agree with the committee of the House on said amendments, and we hereby ask that a resolution be adopted by the Senate conferring upon your committee the powers and privileges of a free conference committee.

Respectfully,

HERMAN D. CROW,
W. W. WILSHIRE,
JOHN I. YEEND,
Senate Committee.

The report was adopted.

OLYMPIA, March 3, 1899.

To the President of the Senate and Speaker of the House:

We, your Conference Committee, appointed by the Senate and House to confer regarding proposed Senate amendments to House bill No. 226, entitled "An act fixing the venue of actions in justice courts in cities of five thousand or more inhabitants," have had the same under consideration, and we respectfully report that we have reported the same back to the House of Representatives, with the recommendation that the House concur in the Senate amendments to the act.

Respectfully submitted.

G. W. SOMERINDYKE, Chairman.

We concur in this report: C. C. Gose, L. M. Sims, Harold Preston, C. A. Mantz.

The report was adopted.

On motion of Senator Andrews, the Senate adjourned at 10 o'clock P. M. until 10 o'clock to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-FIFTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, March 4, 1899, }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll all members being present except Senators Plummer and Yeend, who were excused.

On motion of Senator Keith, the reading of the journal was dispensed with.

Senator Keith moved that reading of reports of committees be deferred.

The motion prevailed.

COUNCIL MEMORIAL NO. 2.

To the Honorable Senate and House of Representatives of the State of Washington in Legislature assembled:

Your memorialists, the mayor and city council of the City of Seattle, respectfully represent:

That there is now before your honorable body a bill known as House bill No. —; that said bill authorizes cities and towns of the state to levy the equitable cost of ordinary distribution water mains against the abutting property owners, the remainder of the cost thereof to be borne by the general fund of such cities and towns; that such bill is to be a concurrent and additional power, and to be optional as to adoption by each of such cities and towns; that the terms of said bill were overwhelmingly adopted as a part of the charter of the City of Seattle, at her last general election, but failed to become effective, as did all other proposed charter amendments, owing to the improper advertisement thereof; that the City of Seattle is entering upon the construction of a gravity system of water works which is imperatively demanded by our conditions, but which, for twenty years to come, ties up the greater portion of our water revenues; that we have urgent need of many miles of medium sized water mains, said mains or pipes being from six to twelve inches in diameter; that we have long since reached our debt limit and cannot raise money by the issuance of bonds; that unless relief be granted us similar to that provided in said bill, there will be actual suffering in our city by reason of an improper water distribution system.

Now, therefore, your memorialists do most earnestly request that said bill do receive your earliest consideration, and that it do pass.

Passed the city council of the City of Seattle, and signed by me in

open session in authentication of its passage, this 27th day of February, 1899.

W. V. RINEHART,

President of the City Council.

Approved by me this 28th day of February, 1899.

Attest:

T. J. HUMES, Mayor.

WILL H. PARRY, City Comptroller and *ex-officio* City Clerk.

COUNCIL MEMORIAL NO. 1.

To the Honorable Senate and House of Representatives of the State of Washington, in Legislative Assembly:

Your memorialists, the mayor and city council of the city of Seattle, respectfully represent:

That there is before your honorable body a bill known as Senate bill No. 170, entitled "An act in relation to the support of the poor and indigent, and establishing the liabilities of counties in reference thereto, and providing for the enforcement thereof."

That said bill was drawn at the request of your memorialists in behalf of the poor and unfortunate, and received unanimous endorsement of the convention of the cities of the first class held in Seattle last November.

That the present laws relating to the care of the sick are inadequate and unsuitable to the conditions existing in this state.

That by reason of the present laws indigent persons have often suffered seriously from lack of proper care and attention.

That officials in the discharge of duty have at times been unable to do those things which they felt ought to be done in the name of humanity.

That said bill will, without adding any additional burdens, make proper provision for aiding the unfortunate, and of properly placing and collecting the cost thereof.

That the cause of humanity demands the enactment of provisions similar to those contained in said bill.

Now, therefore, your memorialists do most earnestly request that said bill do receive your earliest consideration and that it do pass.

Passed the city council this 27th day of February, 1899, and signed by me in open session in authentication of its passage this 27th day of February, 1899.

W. V. RINEHART, President of the City Council.

Approved by me this 28th day of February, 1899.

T. J. HUMES, Mayor.

Attest: WILL H. PARRY, City Comptroller and *ex-officio* City Clerk.

The following resolution was offered by Senator Megler:

Resolved, That Dudley Eshelman, secretary of the Senate, be authorized to have the copy of the Senate Journal prepared for the printer and a suitable index prepared, and that he be allowed for said work the amount allowed for that purpose in the general appropriation bill. The State Auditor to issue a warrant for one-half the amount when the printer's receipt for the copy is filed in his office, and the balance when the State Printer shall certify that the reading of proof on the journal and index has been completed and the same found to be correct.

On motion of Senator Megler the resolution was adopted.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., March 3, 1899.

The Honorable President of the Senate of the State of Washington:

SIR—I have the honor to inform you that the Governor has this day approved the following bills:

Senate bill No. 108, entitled “An act to authorize and regulate the paroling of convicts.”

Senate bill No. 152, entitled “An act for the protection of employes, and to prohibit the practice of blacklisting, etc.”

Senate bill No. 11, entitled “An act to amend section 55, of volume 2, of Hill’s Code, relating to the competency of jurors.”

Senate concurrent resolution No. 9, relating to the question of the boundary lines between the states of Oregon and Washington.

Yours respectfully,

J. H. PELLETIER,

Governor’s Private Secretary.

OLYMPIA, March 8, 1899.

The Honorable, the Senate of the State of Washington:

GENTLEMEN—I have the honor to submit herewith a list of appointments made during this session of the Legislature, not heretofore reported to you for confirmation:

BOARD OF TRUSTEES FOR THE STATE NORMAL SCHOOL AT NEW WHATCOM.

Frank Carleton Teck, New Whatcom, appointed for the term ending March 3, A. D. 1905, vice Eli Wilkin, of Fairhaven, term expired.

Yours respectfully,

J. R. ROGERS, Governor.

Senator Baum moved that confirmation of the appointments be made in open session.

The motion prevailed, and the appointments were confirmed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Wooding—25.

Nays: None.

Absent or not voting: Senators Cole, Crow, Hall, McReavy, Miller David, Miller T. J., Plummer, Warburton, and Yeend—9.

SENATE CHAMBER,

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 66, entitled “An act to amend an act entitled ‘An act to

amend an act accepting the terms of the act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency," approved March 22, 1895, have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 130, entitled "An act providing for a state wagon road beginning at the nearest practicable point at the mouth of the Sans Poil creek in Ferry county, thence in a northerly direction up the Sans Poil creek and by the most feasible and practicable route to the town of Republic," etc., have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above House bill No. 130.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

House bill No. 518, by Committee on Judiciary (substitute for House bill No. 294): An act to define the liabilities of railroad corporations in relation to damages sustained by their employes and to define who are fellow servants and who are not fellow servants and to prohibit contracts limiting liabilities under this act.

The bill was read the first time; and, on motion of Senator — the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 519, by Committee on State University, entitled: "An act providing for the payment of certain delinquent and accruing interest, making an investment of the permanent school fund, making an appropriation therefor and declaring an emergency."

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 284, by Mr. Heilig entitled: "An act providing for the compulsory attendance of children in the public schools in cities of more than ten thousand inhabitants.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 519, entitled "An act providing for the payment of delinquent and accruing interest, making an investment of the permanent school fund, making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

S. WARBURTON, Chairman.

We concur in this report: F. M. Baum, Herman D. Crow, Geo. D. Schofield, Harold Preston, C. A. Mantz, John H. Carper.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 13, entitled "An act to establish experiment stations for the propagation of eastern oysters in the waters of Willapa harbor and Puget sound," etc., have had the same properly enrolled.

Respectfully submitted.

J. A. COLE.

I concur in this report: John I. Yeend.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 50, entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands" etc., have had the same properly enrolled.

Respectfully submitted.

J. A. COLE.

I concur in this report: John I. Yeend.

Senator Schofield moved to reconsider the vote by which the emergency clause of House bill No. 107 failed to pass.

The motion prevailed, and the emergency clause passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Wooding — 27.

Nays: None.

Absent or not voting: Senators Cole, Land, Mantz, Plummer, Preston, Runner, and Yeend — 7.

On motion of Senator Hamilton, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senate bill No. 207, by Senator Land, An act providing for the auditing and allowance of expense accounts for all state and county officers, and providing for penalties for the violation thereof, was placed on final passage, and passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Schofield, Van Patten, Warburton, and Wilshire — 25.

Nays: None.

Absent or not voting: Senators Carper, Cole, Crow, Davis, High, Plummer, Runner, Wooding, and Yeend — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Land, the rules were suspended and the bill ordered immediately transmitted to the House.

Senate bill No. 71, by Senator Hall: An act providing for the payment of various claims against the State of Washington, as evidenced by certificates of indebtedness, making appropriations therefor, and declaring an emergency, was placed on final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Megler, Miller David, Miller T. J., Paul, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, and Wilshire — 27.

Nays: None.

Absent or not voting: Senators Clapp, Hamilton, Mantz, McReavy, Plummer, Wooding, and Yeend — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator bill No. 22, by Senator T. J. Miller, An act to establish the legal rate of interest in the State of Washington, and to prevent usury, was placed on final passage and passed by the following vote: Yeas 26, nays 2, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Hall, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Pres-

ton, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, and Wooding — 26.

Those voting nay were: Senators Clapp and Hemrich — 2.

Absent or not voting: Senators Biggs, Crow, Davis, High, Plummer, and Yeend — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 17, by Senator Biggs, To appropriate certain moneys for the support of fire departments, was placed on final passage and passed by the following vote: Yeas 25, nays 2, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Davis, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Wooding — 25.

Those voting nay were: Senators Hamilton and Hall — 2.

Absent or not voting: Senators Baker, Crow, Land, Plummer, Preston, Runner, and Yeend — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Biggs moved to take up House bills Nos. 349 and 350.

The motion was lost.

Senate bill No. 141, by Senator Schofield, An act to amend section 16, Laws 1890, relating to municipal corporations—advancement of cities, was placed on final passage, and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Wooding — 28.

Nays none.

Absent or not voting: Senators Clapp, Land, Plummer, Preston, Runner, and Yeend — 6.

The emergency clause passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller,

David, Miller T. J., Paul, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Wooding—27.

Nays none.

Those voting nay were: Senators Clapp, Davis, Land, Plummer, Preston, Runner, and Yeend—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

STATE OF WASHINGTON, { ss
County of Thurston, }

I, Edward Johnson, being first duly sworn, on my oath depose and say: I am and at all times hereinafter mentioned was an employe of the Senate of the State of Washington at and during its sixth biennial session to date. On March 3, 1899, at about 4:30 o'clock P. M., Senate bill No. 222, together with other bills, was delivered to me as such employe by the assistant secretary of the Senate, who then and there instructed me to take the same to the Governor of the State of Washington and deliver the same to him for his consideration, as required by law. I thereupon forthwith took the same to the Governor at his residence in the city of Olympia, and then and there presented the said bills and each of them, including the said Senate bill No. 222 to the Governor. This presentation took place on March 3, 1899, at the hour of about 4:30 o'clock P. M.

EDWARD JOHNSON.

Sworn to before me and subscribed in my presence this 4th day of March, A. D. 1899.

[SEAL]

JOHN C. KLEBER,

Notary Public in and for the State of Washington, residing at the city of Olympia, said state.

Senator Hamilton moved that the affidavit be referred to the Committee on Memorials.

The motion was lost.

On motion of Senator Wilshire, the affidavit was placed on file.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 104, entitled "An act to amend section 1 of an act entitled 'An act relating to maintenance, repair and renewal of sidewalks in cities of the first, second or third class, and providing for payment therefor by the owners of abutting property, and declaring an emergency,' approved March 21, 1895," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above Senate bill No. 104.

Senate bill No. 98, by Senator Preston, an act to provide for

the incorporation and to regulate the business of co-operative mining companies, was placed on final passage and passed by the following vote : Yeas 26, nays none, absent or not voting 8.

Those voting yea were : Senators Andrews, Baker, Baum, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Runner, Schofield, Van Patten, Warburton, and Wilshire—26.

Absent or not voting : Senators Biggs, Clapp, Keith, Land, Plummer, Reinhart, Wooding, and Yeend.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 66, by Senator David Miller, an act relating to irrigation and arid lands, was placed on final passage and passed by the following vote : Yeas 22, nays 4, absent or not voting 8.

Those voting yea were : Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hammer, Hemrich, High, Hill, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Runner, Van Patten, Wilshire, and Wooding—22.

Those voting nay were : Senators LeCrone, Preston, Schofield, Warburton—4.

Absent or not voting : Senators Baker, Hall, Hamilton, Keith, Land, Plummer, Reinhart, and Yeend—8.

The emergency clause passed by the following vote: Yeas 23, nays 6, absent or not voting 5.

Those voting yea were : Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Davis, Hall, Hammer, Hemrich, High, Hill, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Schofield, Van Patten, Wilshire, and Wooding—23.

Those voting nay were : Senators Baker, Hamilton, LeCrone, Preston, Runner, and Warburton—6.

Absent or not voting : Senators Crow, Keith, Land, Plummer, and Yeend—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston the rules were suspended and Senate bills Nos. 71, 22, 17, 141, 98 and 66 were ordered immediately transmitted to the House.

Senate bill No. 225, by Senator Schofield, an act relating to

state's granted, school, tide, oyster and other lands, harbor areas, etc., was read the third time.

Senator Davis moved that the Senate resolve itself into a Committee of the Whole for the consideration of the bill.

The motion prevailed and the Senate went into Committee of the Whole, Senator Hemrich in the chair.

The president resumed the chair and the following message was received from the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 155, entitled "An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington and providing a penalty for the violation thereof," with the following amendment: Section 1, line 13, after the word sale, strike out "for less than \$10 per ton."

Also, House bill No. 288, entitled "An act to amend section 1589 of Volume 1, of Hill's Annotated Statutes and Codes of Washington, relating to the right to appropriate water and to build dams and reservoirs."

Also, House bill No. 289, entitled "An act providing for the right of entry upon lands to survey for ditches, canals, flumes, dams and reservoirs, and for the condemnation of lands for reservoirs, dams and flumes, and declaring an emergency."

The House has concurred in Senate amendments to House bill No. 160, entitled "An act to amend an act entitled 'An act in relation to recognizances, stipulations, bonds, and undertakings, approved March 17, 1879, and declaring an emergency.'"

The speaker of the House has signed Senate bill No. 7, entitled "An act for protection against the spread of Canada and Russian thistles, and for the destruction of the same, and for the payment of costs for destroying same, and prescribing the punishment for the violation of the same."

Also, Senate bill No. 105, entitled "An act providing for the construction of a sewer for the Washington School for Defective Youth, and granting the right to acquire right-of-way therefor, making appropriation therefor, and declaring an emergency."

Also, House bill No. 108, entitled "An act authorizing the issuance of state bonds and the investment of the permanent school funds therein, and declaring an emergency.

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bill No. 108.

Senator David Miller was excused until Monday.

The Senate again went into committee of the whole, Senator Hemrich in the chair.

The committee arose and reported the bill back to the Senate, recommending the following amendment: Strike "one," in line 15, section 1, and insert "three" in lieu thereof.

On motion of Senator Hamilton, the report was adopted.

On motion of Senator Schofield, the bill was made a special order for 11:00 A. M. Monday.

The following resolution was offered by Senator Land:

Resolved, That Lee Smith be allowed 50 cents extra per day from the beginning of the session for his services as assistant sergeant-at-arms.

On motion of Senator Crow, the resolution was laid on the table.

Senators Carper, Hemrich and Warburton were excused until Monday.

On motion of Senator Van Patten, the Senate adjourned at 12 M. until 2. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baker, Baum, Carper, Crow, Hemrich, McReavy, David Miller, T. J. Miller, Paul, Plummer and Wilshire.

Senators Carper, Hemrich, David Miller, Plummer and Yeend were excused.

Senator Biggs moved that the Senate do now adjourn.

The motion prevailed, and the Senate adjourned at 2:05 until 10 A. M. Monday.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-SEVENTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 6, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M. pursuant to adjournment.

The secretary called the roll, the following members being absent: Senators Andrews, Baum, Biggs, Carper, Davis, Hall, Hemrich, High, Keith, LeCrone, Paul, Plummer, Preston, Schofield, Warburton, Wooding and Yeend—17.

The president announced that there was not a quorum present for the transaction of business.

On motion of Senator Van Patten the Senate took a recess until 10:45 A. M.

President Daniels called the Senate to order at 10:45 A. M.

The secretary called the roll, the following members being absent: Senators Andrews, Baker, Baum, Biggs, Carper, Hall, Hemrich, High, Keith, LeCrone, Miller David, Paul, Plummer, Preston, Warburton, Wooding and Yeend—17.

The president announced that there was no quorum present for the transaction of business.

On motion of Senator Davis the Senate took a recess until 11:15 A. M.

President Daniels called the Senate to order at 11:15 A. M.

The secretary called the roll, all members being present except Senators Carper and Keith who were excused.

On motion of Senator Wooding, the reading of the journal of Saturday was dispensed with and the journal approved.

By consent of the Senate the President named George Allen to act as page for the balance of the session.

On motion of Senator Schofield the Senate resolved itself into Committee of the Whole for the consideration of Senate bill No. 225, with Senator Plummer in the chair.

The committee arose and reported to the Senate, recommending that the bill be made a special order for the evening session.

On motion of Senator Warburton, the report was adopted.

Senator Runner moved to reconsider the vote by which Senate bill No. 126 failed to pass.

The motion prevailed.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 130, entitled "An act for the protection of hotels, boarding-houses and lodging-houses, and providing a penalty for the violation thereof."

Also, House bill No. 21, entitled "An act authorizing and empowering cities of the first, second, third and fourth classes to regulate and license by ordinance the riding of bicycles," etc.

Also, House bill No. 137, entitled "An act regulating the manufacture of dairy products," etc.

Also, House concurrent resolution No. 20, commendatory to Mr. Harry W. Carroll.

And the same are herewith transmitted to the Senate.

W. F. DILLON, Chief Clerk.

The president signed all of the above House bills; also above House concurrent resolution No. 20.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 149, entitled "An act making it unlawful to injure or damage in any way the public lands of the State of Washington, and prescribing the punishment therefor."

Also, House bill No. 91, entitled "An act to fix the time for holding the annual election for road supervisors."

Also, House bill No. 65, entitled "An act relating to the assessment and collection of taxes."

Also, House bill No. 40, entitled "An act to amend section 2 of an act entitled 'An act authorizing cities, towns and counties to purchase, construct and maintain ferries,' approved March 20, 1895, and declaring an emergency."

Also, House bill No. 83, entitled "An act making provisions for the incorporation of cemetery associations, defining their powers, and prescribing a penalty for injury to the property."

Also, House bill No. 79, entitled "An act establishing the State Museum at the University of Washington."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed all of the above House bills.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 104, entitled "An act to amend section 1 of an act entitled 'An act relating to maintenance,

repairs and renewal of sidewalks in cities of the first, second or third class, etc.'"

Also, Senate bill No. 130, entitled "An act providing for a state wagon road beginning at the nearest practicable point at the mouth of the Sans Poil creek, in Ferry county, etc."

The House has passed House bill No. 472, entitled "An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, amending sections 6, 10, 11, 22, 30, 33, 39, 42, 48, 49, 54, 56, 78, 97, 99, 101, 102, 105, 111, 121, 141, 142, 144, 153, 175, 177, 222, 223, 255, all being of said act; also declaring an emergency."

Also, Senate bill No. 185, entitled "An act amending section 69 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, being chapter 89, Session Laws of 1897, and declaring an emergency."

Also, House bill No. 364, entitled "An act providing for the manner of perpetuating evidence for use in civil actions, and repealing sections numbered respectively 1688, 1689, 1690, 1691 and 1692 of second volume of Hill's Code, and all other acts and parts of acts in conflict with this act, and declaring an emergency."

Also, House bill No. 443, entitled "An act fixing the fees on filing transcripts of appeal, certiorari, or writ of review, to the superior court from justice's court."

Also, House bill No. 243, entitled "An act amending section 1 of an act entitled 'An act relating to beds of natural oysters, and declaring an emergency,' approved March 7, 1895, being section 3375 of Ballinger's Annotated Codes and Statutes of Washington."

Also, House bill No. 314, entitled "An act for the relief of Captain Harry St. George."

Also, House bill No. 331, entitled "An act providing for the dissolution of irrigation districts and the liquidation of their indebtedness."

Also, House bill No. 388, entitled "An act providing for condemnation proceedings for right-of-way for irrigating ditches, canals and flumes for agricultural and mining purposes, and relating to right of appropriation of water."

Also, House bill No. 488, entitled "An act to encourage and protect the culture of deep water oysters in the State of Washington, and declaring an emergency."

Also, House bill No. 428, entitled "An act providing for condemnation of right-of-way for logging purposes, and for conveying timber products."

Also, House bill No. 449, entitled "An act to amend sections 379, 385 and 401 of volume 1, Hill's Annotated Codes and Statutes of the State of

Washington, the same being sections 1364, 1370 and 1388 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to ballots, etc."

Also, House bill No. 440, entitled "An act to provide for the official measurement of all milk cans or other vessels used in the shipping and sale of milk, etc."

Also, Senate bill No. 239, entitled "An act providing for validating leases heretofore made by cities or towns of streets or portions thereof upon the water front within or in front of cities or towns, and declaring an emergency."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, March 6, 1899.

MR. PRESIDENT.

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 247, entitled "An act to regulate the sale of spectacles and eye-glasses, and providing a punishment for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be placed on general file.

Respectfully submitted.

T. J. MILLER, Chairman.

We concur in this report: W. W. Wilshire, Geo. D. Schofield, David Miller, Herman D. Crow.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 347, entitled "An act to regulate and control, and license insurance companies, corporations and associations, and their agents, prescribing license fees and imposing penalties," have had the same under consideration, and we respectfully report the same back to Senate, with the recommendation that the bill be placed on general file.

Respectfully submitted.

T. J. MILLER, Chairman.

We concur in this report: S. Warburton, Herman D. Crow, David Miller, W. H. Plummer, Geo. D. Schofield.

The report was adopted.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 417, entitled "An act relating to justices of the peace and constables in cities of the first class, fixing their number and salaries, and providing for making one of the justices elected in such cities a police justice, and defining his duties, jurisdiction and power," have had the same under consideration, and we respectfully report the

same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

T. J. MILLER, Chairman.

We Concur in this report: W. W. Wilshire, Herman D. Crow, S. Warburton, David Miller.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 438, entitled "An act providing for the construction of fish hatcheries, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report: Geo. D. Schofield, J. A. Davis, Geo. H. Baker, Augustus High.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 34, entitled "An act to provide for the erection of screens at the head of irrigating, mill or electric light flumes or ditches or canals, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report: J. G. Megler, Geo. D. Schofield, Geo. H. Baker, Augustus High.

I recommend general file: J. A. Davis.

The report was adopted.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 135, entitled "An act repealing an act entitled 'An act relating to deficiency judgments,' passed March 10, 1897, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

JOHN H. CARPER, Chairman.

We concur in this report: Herman D. Crow, John I. Yeend, Geo. D. Schofield, F. M. Baum, C. A. Mantz, Harold Preston.

The report was adopted.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 134, entitled "An act granting to judgment debtors the right of

possession, rents, issues, and profits of real estate and premises sold under execution during the period of redemption, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

JOHN H. CARPER, Chairman.

We concur in this report: Herman D. Crow, John I. Yeend, Geo. D. Schofield, F. M. Baum, C. A. Mantz, Harold Preston.

The report was adopted.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Medicine, Surgery and Dentistry to whom was referred House bill No. 195 entitled "An act to provide against the adulteration of food," have had the same under consideration and respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments inserted:

Strike sections 5 and 6 and insert in lieu thereof as section 5 the following:

SEC. 5. Whoever refuses to comply, upon demand, with any of the requirements of section 4, and whoever violates any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding one hundred nor less than fifty dollars, or imprisoned not exceeding ninety or less than thirty days, or both; any person found guilty of manufacturing, offering for sale or selling any adulterated articles of food under the provisions of this act, shall be adjudged to pay, in addition to the penalties herein provided for, all necessary costs and expenses incurred in inspecting and analyzing such adulterated articles of which said person may have been found guilty of manufacturing, selling or offering for sale; *Provided*, that all penalties and costs for the violation of the provisions of this act shall be paid to the State Dairy and Food Commission, or their agent, and by them paid into the state treasury, to be paid as a fund separate and apart for the use of the State Dairy and Food Commissioner for the enforcement of this act, and called "Pure Food Fund."

SEC. 6. The State Dairy Commissioner shall be State Dairy and Food Commissioner, and shall receive, in addition to his salary as Dairy Commissioner, \$600.00 per year, as extra compensation for enforcing the provisions of this act, and his necessary expense in the discharge of his duties under this act.

SEC. 7. There shall be appropriated for salary of State Dairy and Food Commissioner \$1200.00, for two years ending April 1st, 1901, and \$1000.00 out of the food commission fund for expenses of said commissioner.

SEC. 8. It shall be the duty of the chemist of any state institution to correctly analyze, without extra compensation, and without extra charge to the state, other than necessary expenses, any and all substances that the Dairy Food Commissioner may send to them, and to report to him without necessary delay, the result of any analysis so made, and when called upon by said commissioner, any such chemist shall assist him in prosecuting violations of the law by giving testimony, either expert or otherwise.

SEC. 9. It shall be the duty of the Attorney General, or the prosecuting attorney in any county in the state, when called upon by the Dairy Commissioner, to render any legal assistance in their power to execute the laws and to prosecute cases arising under the provisions of this act: *Provided*, That the Dairy Commissioner may employ special counsel if necessary.

SEC. 10. The State Board of Dairy Commissioners, *ex-officio*, shall be "The State Board of Dairy and Food Commission." All expenses incurred under the provisions of this act shall be paid out of the "Pure Food Fund" and shall be audited by the State Auditor upon bills being presented properly certified by the Board of Dairy and Food

Commission, and the State Auditor shall from time to time draw warrants upon the State Treasurer for the amounts thus audited.

SEC. 11. This act shall take effect April 1, 1899.

Respectfully submitted.

D. E. BIGGS, Chairman.

We concur in this report: S. M. LeCrone, John H. Carper.

The report was adopted.

INTRODUCTION AND FIRST AND SECOND READING OF HOUSE BILLS.

House bill No. 438, by Committee on Fisheries: An act providing for the construction of fish hatcheries, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 347, by Insurance Committee: An act to regulate, control and license insurance companies, corporations and associations, and their agents, prescribing license fees and imposing penalties.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 417, by Mr. Heilig: An act relating to justices of the peace and constables in cities of the first class and fixing their number and salaries, and providing for making one of the justices elected in such cities a police justice, and defining his duties, jurisdiction and powers.

The bill was read the first time; and, on motion of Senator Land, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 34, by Mr. Crisman: An act to provide for the erection of screens at the head of irrigating, mill or electric light flumes or ditches or canals, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and placed on general file.

House concurrent resolution No. 25, by Mr. Daniels: Relative to the custody and care of the state capitol building, and making an appropriation therefor.

The resolution was read the first time; and, on motion of Senator Mantz, the rules were suspended, the resolution read the second time by title, and referred to the Committee on Public Buildings and Grounds.

House bill No. 449, by Mr. Sims: An act to amend sections 4, 8 and 11 of an act entitled "An act amending sections 356 and 361 of chapter 2, title 8, also sections 367, 379, 384, 385, 390 and 391 of chapter 3, title 8, also sections 397 and 401 of chapter 4, title 8, also sections 418 and 423 of chapter 5, title 8, volume 1, Hill's Annotated Statutes and Codes of Washington, also amending section 380, volume 1, Hill's Annotated Codes and Statutes as amended by section 1 of chapter 91 of the Laws of 1893, in relation to erections," approved March 21, 1895, etc.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 288, by Mr. Englehart: An act to amend section 1589, of volume 1 of Hill's Annotated Statutes and Codes of the State of Washington, relating to the right to appropriate water, and to build dams, reservoirs, etc.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 243, by Mr. Maxwell: An act amending section 1 of an act entitled "An act relating to beds of natural oysters, and declaring an emergency," approved March 7, 1895, being section 3375 of Ballinger's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 314, by Mr. Baldwin: An act for the relief of Captain Harry St George.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 443, by Mr. Langfitt: An act fixing the fees on filing transcript of appeal, certiorari or writ of review to the superior court from justice's court.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House memorial No. 12, by Mr. Palmer: A memorial to congress in regard to establishing a dental department in the United States Army and Navy.

The memorial was read the first time; and, on motion of Senator McReavy, the rules were suspended, the memorial read the second time by title, and placed on general file.

House bill No. 488, by Committee on Fisheries: An act to encourage and protect the coacher of deep water oysters in the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title and placed on general file.

House bill No. 364, by Mr. Wickersham: An act providing for the manner of perpetuating evidence for use in civil actions and repealing sections numbered respectively 1688, 1689, 1690 1691 and 1692 of second Hill's Code, and all other acts in conflict with this act and declaring an emergency.

The bill was read the first time; and, on motion of Senator Megler, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 428, by Mr. McCoy: An act providing for condemnation of right-of-way for logging purposes, and conveying timber products.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 388, by Mr. Sharp: An act providing for condemnation proceedings for right-of-way for irrigating ditches, canals and flumes for agricultural and mining purposes, and relating to right of appropriation of water.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 331, by Mr. Englehart: An act providing for the dissolution of irrigating ditches and the liquidation of their indebtedness.

The bill was read the first time; and, on motion of Senator

Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

On motion of Senator Davis, the Senate concurred in the House amendments to Senate bill No. 155, by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baum, Biggs, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Schofield, Van Patten, Wooding, and Yeend—26.

Absent or not voting were: Senators Baker, Carper, Hall, Keith, Preston, Runner, Warburton, and Wilshire—8.

On motion of Senator Runner, Senate bill No. 213 was made a special order for 3:30 P. M.

On motion of Senator Preston, House bill No. 148 was made a special order for Wednesday at 11 A. M.

On motion of Senator Wilshire, House bill No. 439 was taken up out of order for consideration.

The question recurring on the motion to substitute section 3 of the printed bill for section 3 of the engrossed bill, the motion was lost.

Senator Mantz moved to strike out section 5.

Senator Plummer moved to indefinitely postpone the bill.

The motion was lost.

On motion of Senator Davis, the Senate adjourned at 12:15 P. M. until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Carper, who was excused.

Senator McReavy moved that Anna Moore be employed as assistant journal clerk.

Senator Land moved to amend that the matter be referred to the committee on employes other than regular.

The amendment was lost.

Senator Wilshire moved to amend that this matter and other matters of the kind relating to the employment of clerks be referred to the committee on employes other than regular, with instructions to report to the Senate.

The motion as amended prevailed.

House bill No. 439 was again taken up for consideration, the question recurring on the motion to strike section 6 of the printed bill.

The motion was lost.

Senator Mantz moved to strike "three" and insert in lieu thereof "two," in line 16, section 6.

The motion was lost.

Senator Van Patten moved to strike lines 16, 17 and 18, section 6, up to and including the period.

The motion was lost.

Senator Plummer moved to amend by inserting "and publishing a like notice for two weeks in the newspaper doing the county printing" after "upon," in line 8, section 7.

The motion was lost.

Senator Mantz moved to insert "with interest" after "same," in line 6, and after "taxes," in line 13, section 7.

The motion was lost.

Senator Preston moved to strike section 9.

The motion was lost.

Senator Wilshire moved to insert "five and one hundred and" after "and," in line 1, section 20, and strike "is" after "act" in the same line and insert "are" in lieu thereof.

The motion prevailed.

Senator Wilshire moved to add "s" to "section," in line 1, section 20.

The motion prevailed.

Senator Mantz moved to insert after "act," in line 3, section 24, "except the taxes for the year 1898."

The motion prevailed.

Senator Wilshire moved to insert "by the county treasurer" after "individuals" in line 3, section 30.

The motion prevailed.

Senator Mantz moved to strike section 32.

Senator Crow moved to amend by striking "or other valuable products" after the word "timber" in line 4, section 32.

The amendment was lost.

The question recurring on the original motion it was declared carried.

Senator Land moved to strike section 34.

The motion was lost.

Senator Wilshire moved to insert "but every such payment shall be subject to correction for errors, discovered upon the quarterly settlement next following" after "funds" in line 3 section 10.

The motion prevailed.

Senator Wilshire moved to amend the title by inserting "105" after "101."

The motion prevailed.

Senator Mantz moved to insert after "costs" in line 7, section 7, engrossed bill, section 8 printed bill the words "and interest," and insert the same words in line 13, after the word "taxes."

The motion prevailed.

Senator Wilshire moved to suspend rules and place the bill on final passage.

The motion prevailed and the bill was placed on final passage and passed by the following vote: Yeas 23, nays 5, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, McReavy, Megler, Paul, Plummer, Preston, Runner, Schofield, Warburton, Wilshire, and Wooding—23.

Those voting nay were: Senators Mantz, Miller David, Reinhart, Van Patten, and Yeend—5.

Absent or not voting: Senators Carper, Cole, Davis, High, Keith, and Miller T. J.—6.

The emergency clause passed by the following vote: Yeas 24, nays 8, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, LeCrone, McReavy, Megler, Miller T. J., Paul, Preston, Schofield, Warburton, Wilshire, and Wooding—24.

Those voting nay were: Senators, Land, Mantz, Miller David, Plummer, Reinhart, Runner, Van Patten and Yeend—6.

Absent or not voting: Senators Carper, and Keith—2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wilshire the rules were suspended and the bill ordered immediately transmitted to the House.

MESSAGES FROM THE HOUSE.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

The House has passed House joint resolution No. 23, authorizing the introduction of a bill for consideration by this legislature.

The speaker of the House has signed House bill No. 230, entitled "An act to remit unpaid taxes, penalty, and interest on certain charitable institutions.

Also, House bill No. 188, entitled "An act requiring persons, railroad companies or corporations to so adjust, fill, block, and securely guard the frogs, switches and guard rails on their roads as to protect and prevent injury to employes and other persons and providing a penalty for the violation thereof.

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bills.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 239, entitled "An act providing for validating leases heretofore made by cities or towns of streets or portions thereof, upon the water front within or in front of cities or towns and declaring an emergency."

Also, House bill No. 285, entitled "An act relating to negotiable instruments."

Also, House joint resolution No. 19, commemorative of Rev. John R. Thompson deceased, late chaplain First Regiment Washington Volunteers.

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House joint resolution.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

The House has passed House joint resolution No. 25, entitled "An act relating to the custody and care of the state Capitol building and contents, and making an appropriation therefor."

The speaker of the House has signed House bill No. 107, entitled "An act in regard to the investment of the permanent school fund in state warrants, and declaring an emergency."

Also, House bill No. 226, entitled "An act fixing the venue of actions in justice courts."

Also, House bill No. 160, entitled "An act to amend an act entitled

'An act relative to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship on the same as part of the lawful expense and costs of the principal or principals on the same, and repealing an act of the Legislature of the State of Washington entitled 'An act relating to official bonds of state, county, city, town and precinct officers, etc.' "

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bills.

SENATE CHAMBER,

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 206, entitled "An act to enlarge and define the powers of unclassified cities within the State of Washington, incorporated by special charter prior to the adoption of the state constitution," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 239, entitled "An act providing for validating leases heretofore made by cities or towns, of streets, or portions thereof, upon the water front within or in front of cities or towns, and declaring an emergency," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

House joint resolution No. 23, relating to the introduction of a bill in the House, was read, and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Carper, Keith, Land, and Wooding — 4.

On motion of Senator Land, the rules were suspended, and the resolution ordered immediately transmitted to the House.

On motion of Senator High, the Senate resolved itself into

Committee of the Whole for the consideration of House bills Nos. 195, 245 and 279, with Senator Schofield in the chair.

The Committee arose and reported back to the Senate, recommending that House bill No. 195 do pass, with the following amendments:

Strike all after "commissioner," line 2, section 6.

Strike section 7, and make section 8 section 7.

Strike sections 8 and 9.

That House bill No. 245 do pass, and that the Committee be allowed to sit again for the further consideration of House bill No. 279.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator

On motion of Senator Mantz the report of the committee of the whole on House bill No. 245 was adopted.

Senator High moved that the report of the committee on House bill No. 195 be not adopted, but that the committee sit again for its further consideration.

The motion prevailed.

Senator High moved that the report of the committee on House bill No. 279 be adopted.

The motion prevailed.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1899.

MR. PRESIDENT:

The House has passed House memorial No. 12, entitled "Memorial to Congress in regard to establishing a dental department in the United States army and navy."

Also, Senate bill No. 102, entitled "An act for the appropriation of money to defray the expenses of public printing," with the following amendment: Strike out in section 1, line 2, the word "five" and insert in lieu thereof the word "six."

The speaker of the House has signed House memorial No. 9, memorializing the United States Congress to favor legislation that will open and make navigable the Columbia river at Priest Rock Island, Orondo, and Methon Rapids.

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The following Senate resolution was submitted by the Judiciary Committee:

Be it resolved, That the Senate devote Tuesday evening to the following bills now upon the calendar, all of which relate solely to matters of practice in the courts, and which can therefore best be considered together, to-wit: Senate bills 231, 236, 112, 220, 125, 197, and 114, and House bills 23, 150, 97, 95, 381, 94, 14, and 268.

On motion of Senator Plummer the resolution was adopted.

Resolved, That after six o'clock P. M. of Thursday, March 9, 1899, no bills shall be considered on final passage, that no further special order shall be made, and all bills placed upon the Senate calendar shall remain upon said calendar until disposed.

On motion of Senator Megler action on the resolution was postponed until to-morrow.

House bill No. 245, An act appropriating money for incidental and traveling expenses of the State Fish Commissioner, and declaring an emergency, was placed on final passage and passed by the following vote: Yeas 21, nays 6, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Biggs, Cole, Crow, Davis, Hall, Hamilton, Hemrich, High, Hill, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Runner, Schofield, and Wooding — 21.

Those voting nay were: Senators Baker, Clapp, Preston, Wilshire, Warburton, and Yeend — 6.

Absent or not voting: Senators Carper, Hammer, Keith, LeCrone, Paul, Reinhart, and Van Patten — 7.

There being no objection, the title to the bill was ordered to stand as the title of the act.

Senator Schofield moved that the Senate resolve itself into Committee of the Whole for the consideration of Senate bill No. 225, An act relating to state's granted, school, tide, oyster and other lands, harbor areas, etc.

The motion prevailed, and the Senate went into Committee of the Whole, Senator Mantz in the chair.

The Committee arose and reported back to the Senate, with the recommendation that the bill do pass, with the following amendments:

Insert after the word "manner," in line 37, section 1, "subject to the approval of the board."

Amend section 1 by adding thereto the following: "Notwithstanding any such lease now or hereafter existing, the state shall

ever retain and does hereby reserve the right to regulate the rates of wharfage, dockage or other tolls to be imposed by the lessee or his assigns upon commerce for any of the purposes for which the leased area may be used, and the right to prevent extortion and discrimination in such use thereof."

On motion of Senator Land, the report was adopted.

On motion of Senator Schofield, the bill was referred to the Engrossing Committee.

House bill No. 248, An act relating to revenues and taxes on real property which became delinquent during the year 1897 and all years prior thereto, remitting all penalties and interest thereon if paid on or prior to the first day of July, 1899, etc., was read the third time by sections.

Senator Wilshire moved to strike "1897," in line 3, section 1, and insert "1898" in lieu thereof.

The motion was lost.

Senator Wooding moved to strike section 2.

Senators Runner, Mantz, Yeend, Keith, Wilshire, and Hamilton demanded the roll call on the motion, which was lost by the following vote:

Those voting yea were: Senators Baum, Crow, High, Hill, Keith, Mantz, Paul, Preston, Reinhart, Runner, Wooding, and Yeend—12.

Those voting nay were: Senators Andrews, Baker, Biggs, Clapp, Cole, Hamilton, Hammer, Hemrich, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Van Patten, Warburton, and Wilshire—19.

Absent or not voting were: Senators Carper, Davis, and Hall—3.

Senator Wooding moved to indefinitely postpone the bill.

Senators Hamilton, McReavy, LeCrone, Preston, Wilshire, and T. J. Miller demanded the roll call on the vote, which was lost by the following vote: Yeas 11, nays 20, absent or not voting 3.

Those voting yea were: Senators Crow, High, Hill, Keith, Mantz, Paul, Preston, Runner, Van Patten, Wooding, and Yeend—11.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Davis, Hamilton, Hammer, Hemrich, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Warburton, and Wilshire—20.

Absent or not voting: Senators Carper, Hall, and Reinhart—3.

Senator Megler moved to strike “on the first Monday of each month,” commencing in line 5, section 2, engrossed bill, and ending in line 6, and insert in lieu thereof, “at the regular meetings of the county commissioners.”

The motion prevailed.

Senator Plummer moved to strike the last line of section 2 of the printed bill.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 21, nays 9, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Hamilton, Hammer, Hemrich, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Warburton, and Wilshire—21.

Those voting nay were: Senators Crow, Davis, Hill, Paul, Preston, Runner, Van Patten, Wooding, and Yeend—9.

Absent or not voting: Senators Carper, Hall, High, and Reinhart—4.

The emergency clause failed to pass by the following vote: Yeas 21, nays 10, absent or not voting 3.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Davis, Hamilton, Hammer, Hemrich, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Schofield, and Warburton—21.

Those voting nay were: Senators Crow, High, Hill, Mantz, Paul, Runner, Van Patten, Wilshire, Wooding and Yeend—10.

Absent or not voting: Senators Carper, Hall, and Reinhart—3.

On motion of Senator Biggs the title was amended to read as follows: “An act relating to revenues and taxes on real property which became delinquent during the year 1897, and all years prior thereto, remitting penalties and interest thereon in excess of six per cent. per annum from the date of delinquency, if paid on or prior to the 1st day of November, 1899; creating a board with power to make additional remissions of taxes, and prescribing its powers, and declaring an emergency.”

Senator Land gave notice that at the proper time he would move to reconsider the vote by which the bill passed.

Senator Wilshire gave notice that at the proper time he would

move to reconsider the vote by which the emergency clause failed to pass.

House bill No. 241, An act to repeal an act entitled "An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state," approved March 6, 1897, found on pages 47 and 48 of the laws of 1897, and declaring an emergency, was read the third time by sections.

Senator David Miller moved to strike "and assessment and tax books" line 2, section 4.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 15, nays 14, absent or not voting 5.

Those voting yea were: Senators Baum, Biggs, Davis, Hall, High, Hill, Land, McReavy, Miller David, Miller T. J., Paul, Plummer, Runner, Van Patten, and Wooding — 15.

Those voting nay were: Senators Andrews, Baker, Cole, Crow, Hamilton, Hammer, Keith, LeCrone, Mantz, Megler, Preston, Warburton, Wilshire, and Yeend — 14.

Absent or not voting: Senators Carper, Clapp, Hemrich, Reinhart, and Schofield — 5.

The bill was amended by striking the emergency clause.

Senate bill No. 213: An act fixing maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof, was read the third time by sections.

Senator Runner moved to strike "four" in line, section 1, and insert "three and one-half" in lieu thereof.

The motion was lost.

Senator Yeend moved to strike "ten" in line 3, section 1, and insert "twelve" in lieu thereof.

The motion prevailed.

On motion of Senator McReavy, section 3 was stricken from the bill.

Senator McReavy moved to make section 4 section 3.

The motion prevailed.

Senator McReavy moved to add the following to be known as section 4:

SEC. 4. Nothing in this act shall apply to any railroad within this state which does not exceed one hundred and fifty miles in length, or to

any extension or branches of such railroads, or new railroads hereafter constructed; and the building of extension or branches of any such railroad shall not have the effect of bringing any such railroad within the provisions of this act.

Senator Mantz, moved to amend by striking "fifty" and inserting "twenty" in lieu thereof.

Senators Runner, Crow, Preston, Mantz, Davis and Miller T. J., demanded the roll call on the amendment, which was lost by the following vote: Yeas 10, nays 15, absent or not voting 9.

Those voting yea were: Senators Baker, Crow, Hall, Keith, Mantz, Megler, Preston, Runner, Warburton, and Wooding — 10.

Those voting nay were: Senators Andrews, Clapp, Cole, Davis, Hemrich, High, Hill, LeCrone, McReavy, Miller David, Miller T. J., Plummer, Schofield, Van Patten, and Wilshire—15.

Absent or not voting: Senators Baum, Biggs, Carper, Hamilton, Hammer, Land, Paul, Reinhart, and Yeend—9.

The question recurring on the original motion it was declared carried.

Senator Warburton moved to reconsider vote by which section 3 was stricken.

The motion was lost.

Senator Warburton moved to add to section 1 "or in lieu thereof a bicycle."

The motion was lost.

Senator Preston moved to strike "four" in line 3, section 1, and insert "three and one quarter" in lieu thereof.

Senators Runner, Preston, Mantz, Miller T. J., Hamilton, and McReavy demanded the roll call on the motion, which was lost by the following vote: Yeas 10, nays 17, absent or not voting 7.

Those voting yea were: Senators Crow, Hall, Hammer, Hill, Mantz, Miller David, Preston, Runner, Van Patten, and Yeend — 10.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Hamilton. Hemrich, High, LeCrone, McReavy, Megler, Miller T. J., Paul, Plummer, Schofield, and Warburton — 17.

Absent or not voting: Senators Carper, Davis, Keith, Land, Reinhart, Wilshire, and Wooding — 7.

Senator Preston moved to strike "four" in line 3, section 1, and insert "three and three-fourths" in lieu thereof."

Senators Mantz, Preston, Runner, Yeend, LeCrone, and McReavy demanded the roll call on the motion, which was lost by the following vote: Yeas 10, nays 15, absent or not voting 9.

Those voting yea were: Senators Crow, Hall, Hammer, Mantz, Miller David, Preston, Runner, Van Patten, Warburton, and Yeend — 10.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Hamilton, Hemrich, High, LeCrone, McReavy, Megler, Miller T. J., Plummer, and Schofield.— 15.

Absent or not voting: Senators Carper, Davis, Hill, Keith, Land, Paul, Reinhart, Wilshire, and Wooding — 9.

Senator Hall moved to strike “four” in line 3, section 1, and insert “five” in lieu thereof.

Senators Warburton, Hamilton, Megler, McReavy, LeCrone, and Baum demanded the roll call on the motion, which was lost by the following vote: Yeas 1, nays 25, absent or not voting 8.

Senator Hall voted yea.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, and Yeend — 25.

Absent or not voting: Senators Carper, Hill, Keith, Land, Mantz, Reinhart, Wilshire, and Wooding — 8.

Senator Mantz moved to strike “fifty” in section 4 and insert “forty” in lieu thereof.

The motion was lost.

Senator Yeend moved to indefinitely postpone the bill.

The motion was lost.

The bill was ordered sent to the Engrossing Committee.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, March 6, 1899.

MR. PRESIDENT :

We, your Committee on Municipal Corporations, to whom was referred House bill No. 214, entitled “An act relating to cemeteries and burial places,” have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: David Miller, W. H. Plummer, Herman D. Crow, Geo. D. Schofield.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 284, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 380, entitled "An act for the protection of game animals and birds, song birds, and game fish, creating the office of State Game Warden, and defining duties, and imposing additional duties on County Game Wardens." have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill do pass.

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: D. E. Biggs, J. G. Megler, Geo. H. Baker, Augustus High, J. A. Davis, Geo. D. Schofield.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 363, entitled "An act to punish the injury or destruction of property and records upon public lands," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, John I. Yeend, S. Warburton, Geo. D. Schofield, Herman D. Crow, Harold Preston.

In favor that it be placed on general file: C. A. Mantz.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 58, entitled "An act to amend section 1 of an act entitled 'An act to provide for the registration of voters in all school elections in school districts having a population of ten thousand or more,' " etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on file.

Respectfully submitted.

J. C. VAN PATTEN, Chairman.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 379, entitled "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating

the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

Strike words "or Gray's Harbor," line 2, sec. 1.

Strike proviso, end of sec. 1, engrossed bill.

Strike "or," line 2, sec. 4, before "Willapa" and after "tributaries."

Insert "or Gray's Harbor" after "harbor" and before "in," line 2, sec. 4.

Strike "and" after "tributaries" before "Willapa," line 7, sec. 4.

Insert after "Willapa Harbor," line 7, sec. 4, "and Gray's Harbor."

Add words "and Gray's Harbor" to line 22, sec. 6.

Strike "or" after "river" before "on," line 23, sec. 6.

Add after words "Willapa Harbor" words "or Gray's Harbor."

Sec. 7, strike line 1.

Strike line 2 up to words "every person."

Strike words "thirty-five," line 4, insert in lieu thereof "thirty."

In lines 10 and 11 strike words "number of cases canned and the."

Add as section seven and one-half (7½) the following:

SEC. 7½. Every person, firm or corporation engaged in canning salmon shall procure a license before commencing the season's pack, as follows:

For each cannery packing less than 10,000 cases per annum, \$100.

For each cannery packing from 10,000 to 15,000 cases, \$150.

For each cannery packing from 15,000 to 20,000 cases, \$200.

For each cannery packing from 20,000 to 25,000 cases, \$250.

For each cannery packing from 25,000 to 30,000 cases, \$300.

For each cannery packing from 30,000 to 40,000 cases, \$400.

For each cannery packing from 40,000 to 50,000 cases, \$500.

For each cannery packing from 50,000 to 60,000 cases, \$600.

For each cannery packing from 60,000 to 70,000 cases, \$700.

For each cannery packing from 70,000 to 80,000 cases, \$800.

For each cannery packing from 80,000 to 90,000 cases, \$900.

For each cannery packing from 90,000 to 100,000 cases, \$1,000.

Rates on all canneries to be based upon pack of each preceding year. New canneries shall pay a license of \$250 until their pack is definitely known.

In line 4, sec. 8 of the printed bill, insert words after "Skagit river" "up to the town of Hamilton."

Strike House amendment, engrossed bill, namely, words "except in the" before words "Skagit river," line 9, sec. 8.

Also, strike lines 10, 11 and 12 of engrossed bill, namely, words "up to the town of Hamilton, and from the mouth of the Baker river up the Skagit river and its tributaries."

Strike sec. 14 of the engrossed bill.

Add to sec. 3: "All pound nets or traps shall conspicuously show at night time, between sunset and sunrise, a bright white light."

Line 2, sec. 8, strike words "month of October," insert in lieu thereof "15th of October to the 15th of November."

In sec. 20, line 5, strike "50," insert "10," so as to read "not less than ten dollars."

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: J. G. Megler, D. E. Biggs, J. A. Davis, Geo. H. Baker, Geo. D. Schofield, Augustus High.

On motion of Senator Cole the Senate concurred in the House amendments to Senate bill No. 102, by the following vote: Yeas 20, nays none, absent or not voting 14.

Those voting yea were: Senators Baum, Cole, Crow, Davis, Hall, Hammer, High, Hill, Land, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, and Wilshire—20.

Absent or not voting: Senators Andrews, Baker, Biggs, Carper, Clapp, Hamilton, Hemrich. LeCrone, Mantz, Reinhart, Warburton, Wooding, and Yeend—14,

The committee on employes other than regular, recommended that Anna Moore be appointed assistant journal clerk, and Anna Moore was accordingly appointed.

Anna Moore was sworn in as assistant journal clerk.

On motion of Senator Plummer the Senate adjourned at 11 P. M. until 10 A. M. tomorrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 7, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

On motion of Senator Plummer, the reading of the minutes was dispensed with and the journal approved.

The president appointed Senators Preston, Wilshire and Mantz a special committee pursuant to the resolution of Senator Wilshire offered yesterday.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 7, 1899.

MR. PRESIDENT:

The House has passed House bill No. 151, entitled "An act relating to tide and shore lands of the state."

Also, House bill No. 394, entitled "An act to amend section 3 of an act entitled 'An act relating to county surveyors, defining their powers and regulating their duties,' approved by the Governor March 19, 1895."

Also, House bill No. 447, entitled "An act authorizing incorporated colleges, seminaries, churches, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes, heretofore or hereafter incorporated under the laws of the territory of State of Washington to amend their articles of incorporation."

Also, House bill No. 456, entitled "An act to amend sections 971, 972, 973, 975 and 976 of volume 2 of Hill's Annotated Statutes and Codes of Washington."

Also, House bill No. 462, entitled "An act relating to the sale of allotted lands by Indians."

Also, House bill No. 501, entitled "An act providing for the reappraisement of the tide lands at and in front of the cities of New Whatcom and Fairhaven, Whatcom county, Washington."

Also, House bill No. 502, entitled "An act to amend section 1 of an act entitled 'An act to amend section 14 of an act entitled "An act in relation to prosecuting attorneys, defining their duties and fixing their compensation," approved February 4, 1886, the same being section 231 of volume 1 of Hill's Annotated Statutes and Codes of Washington,' approved March 7, 1893, being section 4755 of Ballinger's Annotated Codes and Statutes of Washington."

Also, House bill No. 506, entitled "An act relating to the powers of cities of the fourth class, and declaring an emergency."

Also, House bill No. 470, entitled "An act for the relief of certain persons and companies who furnished supplies to and performed services for the State of Washington in connection with the mobilization of the First regiment of Washington Volunteers at Camp Rogers, in May, 1898."

The speaker of the House has signed Senate bill No. 155, entitled "An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington and providing a penalty for the violation thereof."

The House has passed House bill No. 454, entitled "An act providing for the protection of original or prior locators of mining claims," etc.

Also, House bill No. 487, entitled "An act fixing the number of days which the board of county commissioners having a population of sixteen thousand and under twenty thousand, may hold regular sessions for in any one year."

Also, House bill No. 507, entitled "An act relating to justices of the peace and constables in cities of the third class, and fixing their salaries."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk of the House.

The following resolution was offered:

Resolved, That after 6 o'clock P. M. of Thursday, March 9, 1899, no bills shall be considered on final passage.

That no further special order shall be made, and all bills placed upon the Senate Calendar shall remain upon said calendar until disposed of.

On motion of Senator Plummer, the resolution was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 225, entitled "An act to amend section 53 of an act of the legislature of the State of Washington, entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States, etc.,'" have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 213, entitled "An act fixing the maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 198, entitled "An act to amend section 471 of Ballinger's Annotated Statutes and Codes of Washington, relating to decrease of capital stock of corporations, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be placed on general file.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Harold Preston, John I. Yeend, Geo. D. Schofield, S. Warburton, Herman D. Crow, John H. Carper.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 228, entitled "An act for the relief of D. B. Ward, as State Immigration Agent, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation, and ask that it be placed on general file.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis, A. Hemrich.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 6, in regard to improving the navigable waters of the Nooksack river, in Whatcom county, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

L. B. ANDREWS, Chairman.

We concur in this report: J. C. Van Patten, S. D. Reinhart.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Harbor and Harbor Lines, to whom was referred Senate bill No. 203, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

GEO. D. SCHOFIELD, Chairman.

We concur in this report: S. M. LeCrone, A. Hemrich, Thos. J. Miller.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing to whom was referred House bill No. 227, entitled "An act for the relief of Fenton H. Goss and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation and ask that it be placed on general file.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis, A. Hemrich.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 155, entitled "An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington and providing a penalty for the violation thereof," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above Senate bill No. 155.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations to whom was referred House bill No. 280, entitled "An act amending section one of 'An act entitled an act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power

purposes, cable, electric and other railways, with all land and property required therefor, providing for payment therefor, repealing an act entitled 'An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants and to issue bonds to pay therefor, and declaring an emergency,' approved February 10, 1893, and declaring an emergency," approved March 17, 1897, being section 1 of chapter 112 of the Session Laws of the State of Washington for 1897, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: W. W. Wilshire, David Miller, Geo. D. Schofield, Herman D. Crow, W. H. Plummer, S. Warburton.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 186, entitled "An act relating to appeals to the superior court from any decision or order of the board of county commissioners, and to repeal existing laws in relation thereto," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: S. Warburton, John H. Carper, Herman D. Crow, F. M. Baum, Harold Preston, John I. Yeend, Geo. D. Schofield.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 304, entitled "An act amending section 2417, volume 1, Hill's Annotated Statutes and Codes of Washington, in relation to an act for bonds to be taken for municipal contracts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be placed on general file.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: S. Warburton, W. W. Wilshire, Herman D. Crow, David Miller, Geo. D. Schofield, W. H. Plummer.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 423, entitled "An act authorizing cities of the first class to levy and collect assessments upon property benefited by local improvements, and declaring an emergency," have had the same under

consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be placed on general file.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: S. Warburton, W. W. Wilshire, Herman D. Crow, David Miller, Geo. D. Schofield, W. H. Plummer.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 170, entitled "An act in relation to the support of the poor and indigent, and establishing the liabilities of counties in reference thereto, and providing for the enforcement thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

G. H. BAKER, Chairman.

We concur in this report: F. M. Baum, Dan. Paul, C. A. Mantz, E. Hammer.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred House bill No. 151, entitled "An act to amend sections 48 and 50 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners; defining their duties, and making an appropriation therefor and declaring an emergency,' approved March 16, 1897, being chapter 89, Session Laws of 1897," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report: David Miller, J. G. Megler, L. B. Andrews.

The report was adopted.

FIRST AND SECOND READING OF HOUSE BILLS.

House bill No. 462, by Mr. Field (by request): An act relating to the sale of allotted lands to Indians.

The bill was read the first time; and, on motion of Senator Yeend, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 506, by Committee on Municipal Corporations (substitute for House bill No. 274): An act relating to the powers of cities of the fourth class, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 502, by Judiciary Committee: An act to amend section 1 of an act entitled: "An act to amend section 14 of an act entitled, 'An act in relation to prosecuting attorneys, defining their duties and fixing their compensation,'" approved February 4th, 1886, the same being section 231 of Vol. I of Hill's Annotated Statutes and Codes of Washington, approved March 7th, 1893, being section 4755 of Ballinger's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on Judiciary.

House bill No. 151, by Mr. Conway: An act to amend sections 48 and 50 of an act entitled, "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school and tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States, creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners, defining their duties, and making an appropriation," etc.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

House bill No. 447, by Mr. Totten: An act authorizing incorporated colleges, seminaries, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes, heretofore or hereafter incorporated under the laws of the Territory of State of Washington, to amend their articles of incorporations.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 456, by Mr. Gleason: An act to amend sections 971, 972, 973, 975 and 976 of Vol. II of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 470, by Mr. Heilig: An act for the relief of certain persons and companies who furnished supplies to and performed services for the State of Washington in connection with mobilization of the First regiment of Washington volunteers at Camp Rogers, in May, 1898.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 501, by Committee on Tide Lands (substitute House bill No. 362): An act providing for the re-appraisement of the tide lands at and in front of the cities of New Whatcom and Fairhaven, Whatcom county, Washington.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and placed on general file.

On motion of Senator Megler, the secretary was instructed to have the committee clerks copy the amendments on the reported bills.

Senate bill No. 206, by Senator Baker, an act to enlarge and define the powers of unclassified cities within the State of Washington, incorporated by special charter prior to the adoption of the state constitution, was placed on final passage and passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, and Wooding — 24.

Nays: None.

Absent or not voting: Senators Clapp, Hall, Hamilton, High, Miller David, Reinhart, Van Patten, Warburton, Wilshire, and Yeend — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Hemrich gave notice that at the proper time he would move to reconsider the vote by which the bill passed.

Senate bill No. 225, by Senator Schofield, an act relating to state's granted, school, tide, oyster and other lands, harbor areas, etc., was placed on final passage and passed by the following vote: Yeas 23, nays 4, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Davis, Hall, Hamilton, Hammer, High, Hill, Land, LeCrone, McReavy, Megler, Miller T. J., Paul, Plummer, Runner, Schofield, Warburton, and Wilshire — 23.

Those voting nay were: Senators Mantz, Preston, Reinhart, and Van Patten — 4.

Absent or not voting: Senators Clapp, Crow, Hemrich, Keith, Miller David, Wooding, and Yeend — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Runner gave notice that at the proper time he would move to reconsider the vote by which the bill passed.

Senate bill No. 213, by Committee on Railroads and Transportation, An act fixing maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof, was placed on final passage and passed by the following vote: Yeas 20, nays 7, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Cole, Davis, Hamilton, Hemrich, High, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Warburton, and Wooding — 20.

Those voting nay were: Senators Crow, Hammer, Preston, Reinhart, Van Patten, and Yeend — 7.

Absent or not voting: Senators Clapp, Hall, Hill, Land, Mantz, Runner, and Wilshire — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 272, by Mr. Field, providing for the manner of locating and holding lode and placer mining claims; providing for fencing or covering shafts on mining claims, and providing a penalty for failure so to do; prescribing authority of mining districts, and declaring an emergency, was read the third time by sections.

Senator Baum moved to amend section 1, lines 3 and 4, by striking all after "the name" and insert in lieu thereof the following: "Or names of the locators, the date of the location, the number of feet in length claimed on each side of the discovery, the general course of the lode, and such a description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim."

The motion prevailed.

Senator Baum moved to amend section 6, line 9, by inserting after the word "improvements" the following: "Allowed by law or by rules of mining districts."

Amend same section, same line, by striking all of said section after the word "thereon."

The motion prevailed.

On motion of Senator Baum, further action on the bill was temporarily deferred.

On motion of Senator Hemrich, the vote by which Senate bill No. 206 passed was reconsidered.

Senator Baker moved to strike line 1, section 2, and line 2, preceding the word "all," and insert "to license" in lieu thereof.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Biggs, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Baum, Carper, Clapp, Hall, Keith, and Runner — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled bills, to whom was referred Senate bill No. 102, entitled "An act for the appropriation of money to defray the expenses of public printing," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above Senate bill No. 102.

STATE OF WASHINGTON,
EXECUTIVE DEPARTMENT, OLYMPIA, March 6, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you that the Governor has this day approved Senate bill No. 249, entitled “An act making an appropriation for legislative expenses.” Yours respectfully,

J. H. PELLETIER,
Governor’s Private Secretary.

MESSAGE FROM THE HOUSE.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 230, entitled “An act to remit unpaid taxes, penalty and interest on certain charitable institutions.”

Also, House bill No. 108, entitled “An act authorizing the issuance of state bonds and the investment of the permanent school fund therein, and declaring an emergency.”

Also, House bill No. 188, entitled “An act requiring persons, railroad companies, or corporations to so adjust, fill, block and securely guard the frogs, switches and guard rails on their roads,” etc.,

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk of the House.

Senate bill No. 272 was again taken up for consideration.

Senator Baum moved to strike “twenty-five (25),” in lines 5 and 6, section 14, and insert “twelve (12)” in lieu thereof.

The motion prevailed.

Senator Baum moved to strike the fourth subdivision of section 9 of the printed bill.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—30.

Nays: None.

Absent or not voting: Senators Baker, Keith, Land, and LeCrone—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and on motion of Senator Davis,

Senate bills Nos. 213 and 206 were ordered transmitted to the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 102, entitled "An act for the appropriation of money to defray the expenses of public printing."

The House has passed House bill No. 434, entitled "An act to provide for the admission of veterans of the Spanish-American war to the Soldiers' Home."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

Senate bill No. 191, by Senator LeCrone, An act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes, was read the third time by sections.

On motion of Senator Megler, the preamble and endorsements were stricken from the bill.

On motion of Senator Megler the bill was referred to the Engrossing Committee.

Senator Plummer withdrew his notice to move to reconsider the vote by which House bill No. 439 passed, and moved that the rules be suspended and the bill ordered immediately transmitted to the House.

The motion prevailed.

On motion of Senator High, the Senate concurred in the House amendments to Senate bill No. 75, by the following vote: Yeas 30, nays none, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—30.

Absent or not voting: Senators Hill, Keith, Land, and Preston—4.

On motion of Senator Hamilton, the Senate took a recess at 12:05 P. M. until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M., pursuant to adjournment.

The secretary called the roll, all members being present.

REPORT OF FREE CONFERENCE COMMITTEE.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, the undersigned Free Conference Committee, appointed on behalf of the Senate to confer with a like committee from the House, on Senate bill No. 27, respectfully report that after further consideration your committee recommend that the Senate concur in the House amendments to said bill.

Respectfully submitted.

HERMAN D. CROW. Chairman.

I concur in this report: W. W. Wilshire.

The report was adopted.

On motion of Senator Crow, the Senate concurred in the House amendments to Senate bill No. 27, by Senator Crow, An act authorizing the issuance and sale of bonds by cities, to pay for local improvements, providing for the payment thereof, repealing an act entitled "An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency," approved March 9, 1893, and declaring an emergency, by the following vote: Yeas 22, nays none, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Baum, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, LeCrone, McReavy, Megler, Miller T. J., Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, and Wilshire—22.

Absent or not voting: Senators Biggs, Carper, Clapp, High, Keith, Land, Mantz, Miller David, Paul, Runner, Wooding, and Yeend—12.

House bill 350, by Mr. Heilig, An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 4 and 31 of an act entitled "An act to regulate and license insurance in this state," etc., was read the third time by sections.

Senator Warburton moved to strike all after Washington, in

line 18, down to and including the word "Washington" in line 19, section 1.

The motion prevailed.

Senator Warburton moved to insert "entitled an act," after act in line 1, section 1, and also in line 1, section 2.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Warburton — 28.

Nays: None.

Absent or not voting: Senators Keith, Miller David, Paul, Wilshire, Wooding, and Yeend — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer, the rules were suspended, and the bill ordered immediately transmitted to the House.

House bill No. 349, by Mr. Heilig, An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 1, 6, 7 of an act entitled "An act to regulate and control insurance companies," etc., was read the third time by sections.

Senator Schofield moved to insert "entitled an act," after "act," in line 1, section 1, and also in line 1 of section 2,

The motion prevailed.

Senator Plummer moved to amend by inserting "entitled an act," after "act," in line 1, section 3.

The motion prevailed.

The bill was then placed on final passage and passed by the following vote: Yeas 27, nays 1, absent or not voting 6.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, and Warburton — 27.

Senator Baker voted nay.

Absent or not voting: Senators Clapp, Keith, Runner, Wilshire, Wooding, and Yeend — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Plummer, the rules were suspended, and the bill ordered immediately transmitted to the House.

Senator High moved that the Senate resolve itself into a Committee of the Whole for the consideration of House bill No. 452.

Senator Warburton moved to amend that consideration of the bill be deferred until to-morrow.

The amendment was lost.

The question recurring on the original motion, it was declared carried.

The Senate went into a Committee of the Whole.

Senator T. J. Miller in the chair.

The president resumed the chair, and the following message was received from the House:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

The House has concurred in the amendments to House bill No. 272 as made by the Senate.

W. F. DILLON, Chief Clerk.

The Senate again went into committee of the whole, Senator T. J. Miller in the chair.

The president again resumed the chair and the following messages were received from the House :

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 245, entitled "An act appropriating money for incidental and traveling expenses of the State Fish Commissioner," and the same is transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bill No. 245.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House bill No. 349, and the Senate amendments to House bill No. 350.

The House has passed House bill No. 505, entitled "An act regulating the making of findings of fact and conclusions of law in the Superior

Courts of the State of Washington appealing from judgments rendered thereon."

Also, House bill No. 521, entitled "An act relating to garnishment in justices' courts."

And the same are herewith transmitted.

The House has refused to concur in the Senate amendments to House bill No. 241.

W. F. DILLON, Chief Clerk.

The Senate again went into committee of the whole, Senator T. J. Miller in the chair.

The president resumed the chair, and the following message was received from the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 7, 1899.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House bill No. 439.

W. F. DILLON, Chief Clerk.

The Senate again went into Committee of the Whole, Senator T. J. Miller in the chair.

The committee arose and reported progress to the Senate, and asked leave to sit again for further consideration of the bill, which leave was granted.

On motion of Senator Hemrich, the sergeant-at-arms was instructed to procure a copy of Ballinger's Codes for Senator Land.

Senator Reinhart was excused until to-morrow.

On motion of Senator Plummer, the Senate adjourned at 5:30 P. M. until 7:30 P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 P. M., pursuant to adjournment.

The secretary called the roll, all members being present.

Senator Land withdrew his notice to move to reconsider the vote by which Senate bill No. 248 passed.

Senator Wilshire withdrew his notice to reconsider the vote by which the emergency clause failed to pass.

Senator Runner withdrew his notice to reconsider the vote by which Senate bill No. 225 passed.

On motion of Senator Land the rules were suspended, and

Senate bills Nos. 248 and 225 ordered immediately transmitted to the House.

Senator High moved that the Senate resolve itself into a Committee of the Whole for the further consideration of House bill No. 452.

The motion prevailed, and the Senate went into Committee of the Whole, with Senator T. J. Miller in the chair.

The president resumed the chair, and the following messages were received from the House :

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 7, 1899.

MR. PRESIDENT:

The House passed House bill No. 486, entitled "An act to suppress and punish persons stealing rides on cars, engines, and trains, and defining negligence relative thereto, and authorizing train men to arrest and prosecute offenders against this act."

Also, House bill No. 316, entitled "An act appropriating the sum of \$400.00 for the construction of a fishway in the Skokomish river, Mason county."

Also, House bill No. 384, entitled "An act to amend section 6 of an act entitled 'An act to provide for the relief of indigent Union and Mexican war soldiers, sailors and marines, and the families of those deceased or indigent, and to defray funeral expenses.'"

Also, House bill No. 387, entitled "An act for the relief of the Light and Power Company of Olympia, for lighting state offices during the months of April, May, June, and July of 1897, and making an appropriation therefor."

Also, House bill No. 474, entitled "An act to amend sections 1 and 10 of an act entitled 'An act to provide for annexing certain county territory to a neighboring county to which it is contiguous' approved March 9, 1891 (Laws of 1891, p. 330)."

Also, Senate bill No. 96, entitled "An act making appropriations for certain deficiencies of previous fiscal terms and for other purposes."

Also, House bill No. 491, entitled "An act in relation to sales of tide lands, and to permit partial payments to be made thereon."

Also, House bill No. 510, entitled "An act to amend sections 22 and 23 of an act entitled 'An act to amend sections 3 to 31, both inclusive, of an act entitled "An act classifying the counties according to population, enumerating the county officers, fixing the salaries thereof, providing for deputies, collection of fees and payment of salaries," received by the governor March 26, A. D. 1890,' approved March 20, 1895."

Also, House bill No. 300, entitled "An act for the relief of Mrs. J. H. Stahl, R. A. Koontz and the Vancouver Auditorium Association, and appropriating money therefor."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The Senate again went into committee of the whole, Senator T. J. Miller in the chair.

The committee arose and reported the bill back to the Senate with the recommendation that the bill do pass with the following amendments:

Amend lines 7 and 8 by striking "\$50,000" and insert "\$110,000.00."

Strike line 33 and insert in lieu thereof, "33 For building extension to hospital or purchase of farm, and erecting buildings thereon \$40,000."

Strike the items and figures for Eastern Washington Hospital for the Insane, and substitute the majority report of the committee for said hospital, except the item of \$4,000 for infirmary.

Add to the items for said hospital, "For construction of a new wing \$35,000."

Strike line 52 and insert in lieu thereof, "\$143,200."

Strike "\$2,000.00" in line 56, and insert \$3000.00" in lieu thereof.

Add to items for State Penitentiary, "For improving water supply \$2,000.00; For insane convicts cell wing \$5,000.00."

Strike "\$102,000.00" in line 57, and insert "\$110,000.00" in lieu thereof.

Insert a new line to be known as line 65½ as follows, "65½ For experiment station at Puyallup \$5,000.00."

Strike "\$10,840.00" in line 65 and insert "\$11,100.00" in lieu thereof.

Strike "\$1,000.00" in line 64, and insert "\$1,200.00" in lieu thereof.

Insert line 79½ as follows, "79½ For the construction of the state wagon road from Republic to Marcus to be expended by a commissioner to be appointed by the Governor \$4,000.00."

Insert line 79¾ as follows, "79¾ For completion of a road from Republic to Myers Falls, as now surveyed and laid out, to be expended under direction of a commissioner to be appointed by the Governor."

Strike "\$1,500.00" and "\$3,000.00" in line 84, and insert after "institution" in said line, "which shall hereafter be \$2,000.00," and insert in lieu of "\$3,000.00" in said line "\$4,000.00."

Insert line 92½ as follows, "92½ For rent of state offices, light, etc. \$12,800.00."

Strike "\$100,000.00" in line 94, and insert "\$115,000.00" in lieu thereof.

Insert line 96½ as follows, "96½ For state mining bureau, for traveling, clerical and incidentals \$1,500.00."

Insert line 97½ as follows, "97½ For Whatcom school \$3,000.00."

Strike "\$820" and "\$1,640.00" in line 101, and insert "\$900" and "\$1,800" respectively.

Insert after "hire" in line 106, "at \$1,250 per year," and strike "\$500.00" in the same line and insert "\$2,500.00" in lieu thereof.

Strike "\$400" in line 108 and insert "\$600" in lieu thereof.

Insert line 109½ as follows, "109½ For postage and incidentals for insurance department \$400.00."

Insert line 110½ as follows, "110½ For salary of Stenographer and bookkeeper, at \$720, \$1,440."

Strike "650.00" in line 114 and insert "600" in lieu thereof.

Strike "350" in line 115, and insert "500" in lieu thereof.

Strike "6" in line 121, and insert "8" in lieu thereof.

Strike "2,500" in line 125, and insert "1,500" in lieu thereof.

Strike "500" in line 126, and insert "400" in lieu thereof.

Strike "1800" and "3600" in line 130, and insert "2000" and "4000" in lieu thereof respectively.

Insert after "hire" in line 131, "at Olympia office."

Strike "1000" and "2000" in line 140, and insert "1200" and "2400" in lieu thereof, respectively.

Strike "250" in line 143, and insert "350" in lieu thereof, and strike "500" in the same line and insert "700" in lieu thereof.

Strike "250" and "500" in line 144, and insert "350" and "500" in lieu thereof, respectively.

Insert between lines 145 and 146 the following: "For printing and binding, \$50,000." "For furnishing legislature and state offices with desk supplies, \$4,000." "For revolving fund \$5,000."

In line 148, strike "\$1200" insert in lieu \$1,500." Same line strike "\$2,400" insert in lieu "\$3,000."

In line 149, strike "\$1,200" insert in lieu "\$1,500." Same line strike "\$2,400," insert in lieu "\$3,000."

In line 150, strike "\$720" insert in lieu "\$900." Same line strike "\$1,440" insert in lieu "\$1,800."

In line 151, strike "\$900" insert in lieu "\$1,200." Same line strike "\$1,800" insert in lieu "\$2,400."

In line 152, strike "\$900" insert in lieu "\$1,200." Same line strike "\$1,800" insert in lieu "\$2,400."

Strike line 153 and insert in lieu thereof, "for salary of assistant engineer at \$1,200 per year, \$2,400."

In line 154, strike "\$7,500," insert in lieu thereof \$10,000."

In line 155, strike "\$7,500" insert in lieu "\$20,000."

In line 156, strike "\$600" insert "\$1,000."

In line 157, strike "750" insert "1,500."

In line 158, strike "3000" insert "5000."

In line 161, strike the line, and insert line 16 of majority report. Add line 162½ "for establishing harbor lines, completing surveys etc., \$1000. Add line 165½ "for salary of clerk at \$1,000, \$2,000."

Add line 168½ "for campus \$1,000."

Add line 170½ "for museum cases \$500."

For items for bureau of labor insert the report of the majority therefor.

Insert "and other" after "traveling" line 183.

Add line 199½ "salaries of two deputies at \$750, \$1500."

Add line 101½ "traveling expenses of deputies at \$500 per year \$1000."

Insert after "general" line 204 "which shall hereafter be \$1,800, \$3,600."

Line 207 strike "\$18,000" insert in lieu "\$28,000."

Add line 215 "expenses state board of equalization \$400."

Senator Land moved the adoption of the report.

Senator Hamilton, Warburton, McReavy, Crow, LeCrone, and Biggs demanded the roll call on the adoption of report which carried by the following vote: Yeas 17, nays 16, absent or not voting 2.

Those voting yea were: Senators Baum, Biggs, Carper, Cole, Davis, High, Hill, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Runner, Yeend and Mr. President—17.

Those voting nay were: Senators Andrews, Baker, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, LeCrone, Megler, Preston, Schofield, Van Patten, Warburton, Wilshire, and Wooding—16.

Absent or not voting: Senators Keith and Reinhart — 2.

The president decided that special orders be taken up as they appear on the calendar.

Senator Plummer appealed from the decision of the president.

Senators Carper, Runner, Warburton, David Miller, Crow and Mantz demanded the roll call on the decision of the president, who was sustained by the following vote: Yeas 17, nays 12, absent or not voting 5.

Those voting yea were: Senators Baum, Carper, Clapp, Davis, Hall, Hammer, Hill, Land, Mantz Miller David, Miller T. J., Paul, Preston, Runner, Van Patten, Wilshire, and Yeend—17.

Those voting nay were: Senators Andrews, Baker, Crow, Hamilton, Hemrich, High, LeCrone, McReavy, Plummer, Schofield, Warburton, and Wooding—12.

Absent or not voting: Senators Biggs, Cole, Keith, Megler, and Reinhart—5.

Senate bill No. 163, by Senator Carper, an act to provide for the more efficient assessment and collection of taxes on the property of railroads in the state of Washington, and declaring an emergency, was read the third time by sections.

Senator Wilshire moved the adoption of the following amendments: Amend section 2, line 6, by inserting after the word “and” and before the word “side” the following: “In detail the length of each and all.” Amend section 2, line 7, by inserting after the word “act” the following: “And showing the proportions thereof in each city and county.”

Amend section 2, line 21, by striking all after the word “show” to the words “terminal tracks,” and in place thereof insert the following: “A complete list, giving size, location (as to city and county), material and value of all depots, station houses, machine shops, or other buildings situated wholly or in part on right-of-way, together with all platforms, fuel and water stations, and the machinery and tanks connected therewith.”

Amend section 3, line 6, by inserting after the word “several” and before the word “counties” the following: “Cities, taxing districts and.”

Amend section 3, line 8, by inserting before the word “counties” the following: “Cities, taxing districts and.”

Amend section 3, line 8, by inserting after the word “each” and before the word “county” the following: “City, taxing district and.”

Amend section 3, line 10, by inserting after the word “allow” and before the word “counties” the following: “Cities, taxing districts and.”

Amend section 3 by adding to the end thereof the following: "And the taxes levied upon such assessment shall be a lien on said property from the first day of April of the year in which said assessment was made."

Amend section 6, line 3, by inserting after the word "county" and before the word "and" the following: "And in each city and taxing district therein."

Amend section 6, line 4, by striking the word "and" between the words "state" and "county," and in place thereof insert a comma; insert a comma after the word "county" and thereafter insert the following: "City and other."

The motion prevailed.

On motion of Senator Wilshire, the bill was referred to the Engrossing Committee.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 236, entitled "An act relating to the filing and recording of mixed chattel and real estate mortgages in the State of Washington, and curative provisions relative thereto," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended, to wit:

Amend section 1, line 3, by inserting after the word "record," the words "and recorded."

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: S. Warburton, Geo. D. Schofield, C. A. Mantz.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred House joint resolution No. 25, Relating to the custody and care of the state capitol building and contents, and making an appropriation therefor, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do not pass for the following reasons:

Same matter is now in statute books, that State Librarian be custodian of capitol building during legislative intermission.

We, your committee, would recommend that an appropriation of two hundred dollars (\$200) be added to the general appropriation bill, that suitable provision may be made for the proper care of the state capitol

building and the property therein; same to be expended under the direction and supervision of the State Librarian.

Respectfully submitted.

ED. S. HAMILTON, Chairman.

We concur in this report: John McReavy, John Wooding, J. A. Cole, Thos. J. Miller.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 191, antitled "An act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

Senate bill No. 231, by Judiciary Committee, An act limiting the time in which appeals from the board of state land commissioners to the superior court shall be prosecuted, was read the third time by sections, and was placed on final passage and passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Biggs, Clapp, Cole, Crow, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—27.

Absent or not voting: Senators Baker, Carper, Davis, Hall, Keith, Plummer, and Reinhart—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston, the rules were suspended and the bill ordered immediately transmitted to the House.

Senate bill No. 236, by Senator Preston, An act relating to the filing and recording of mixed chattel and real estate mortgages in the State of Washington, and curative provisions relative thereto, was read the third time by sections.

Senator Preston moved to insert "and be recorded" after "record" in line 3, section 1.

The motion prevailed.

On motion of Senator Preston, the bill was referred to the Committee on Engrossed Bills.

Senate bill No. 220, by Senator Preston, An act to amend section 1678 of Vol. I of Hill's Annotated Statutes and Code of

Washington, relating to liens on boats, was read the third time, and was placed on final passage and passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Hamilton, Hammer, Heinrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—26.

Nays: None.

Absent or not voting: Senators Biggs, Davis, Hall, High, Keith, Paul, Plummer, and Reinhart—8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston, the rules were suspended and the bill ordered immediately transmitted to the House.

The president called Senator Yeend to the chair.

Senate bill No. 125, by Senator Preston, an act providing for and regulating the selection of jurors in the superior courts of this state; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict therewith, was read the third time by sections.

Senator Preston moved to substitute sections 10 and 12 for the committee report.

The motion prevailed.

On motion of Senator Preston, the bill was referred to the Engrossing Committee.

Senator Hamilton moved to adjourn at 10:30 P. M.

The motion was lost.

Senate bill No. 197, by Senator Preston, an act to amend an act, entitled "An act defining a homestead and providing for the manner of the selection of the same," approved March 13, 1895, was read the third time by sections.

Senator Preston moved to strike section 2.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller, T. J., Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Warburton—28.

Absent or not voting: Senators Keith, Miller David, Paul, Wilshire, Wooding, and Yeend—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 114 (substitute for Senate bill No. 114), by Senate Judiciary Committee, An act in relation to Superior Courts and the election and appointment of Superior Court Judges, was read the third time by sections.

Senator Biggs moved to strike "San Juan," in line 5, section 1, and insert "Island" in lieu thereof.

The motion prevailed.

Senator Biggs moved to insert after "Whatcom," in line 6, section 1, "and San Juan jointly," and strike "Island" in line 7 of the same section.

The motion prevailed.

Senator Plummer moved to strike "and," in line 14, section 1, and insert "and Ferry" after "Adams," in same line.

The motion prevailed.

The bill was ordered sent to the Engrossing Committee.

On motion of Senator Hamilton, the Senate adjourned at 11 P. M. until 10 A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

FIFTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 8, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 o'clock A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

On motion of Senator Hamilton, the reading of the journal was dispensed with, and the journal approved.

Resolved, That the president and secretary of the Senate are hereby authorized to draw warrants to pay those employes who may be required by resolution to remain and complete their work.

On motion of Senator Hamilton, the resolution was placed on file.

The following communication was read by the secretary:

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1899.

Hon. Harold Preston, Chairman of Committee:

By the permission of your committee in the matter of the purchase of Ballinger's Code, I will explain that I have no contention in the matter, but would like to have the transaction understood.

The resolution of the Senate required me to cite Ballinger's Code. Some three weeks after I had asked for a copy, it was ordered that some four different successive persons, boards or officers be required to furnish the books. I do not know where the order of the Senate failed. I waited a week after the Senate had made its order, making repeated requests of the librarian, who said he had no authority to get the books. I then ordered them, as I needed them very much, and asked the publishers to present their bill, which is as yet unpaid, on which bill I made a statement of my reasons for buying the books, a full copy of which bill and memorandum is hereto appended. The bill was allowed by the committee and adopted by the Senate.

Respectfully submitted.

FRANK PIERCE.

SEATTLE, February 21, 1899.

State of Washington, to Bancroft Whitney Co., Dr.

One set Ballinger's Code, 2 volumes, \$10, furnished to Frank Pierce.

Hon. E. C. Keith, Chairman Claims and Auditing:

I waited for some three weeks after requisition and a week after the Senate had ordered, and the books were not furnished. I then ordered and have received them.

Respectfully,

FRANK PIERCE.

Report of committee, February 28, 1899: That they (this item among others) be allowed in full.

The following resolution was offered by the special committee:

Be it resolved by the Senate, That the action of the Senate approving the report of the Committee on Claims and Auditing, allowing the claim of Frank Pierce, an employe of the Senate, in the sum of ten dollars, on account of the purchase by him of one set of Ballinger's Code, be and the same is hereby rescinded.

And be it further resolved, That the claim of the said employe be and the same is hereby disallowed.

The resolution was adopted.

HAROLD PRESTON.
W. W. WILSHIRE.
C. A. MANTZ.

The following resolution was offered by Senator Clapp:

Resolved, That in consideration of the faithful performance of their duties as janitors, the first and second janitors of this Senate be employed and authorized, at the close of the present session, to clean and put in proper condition the Senate chambers, and all pertaining thereto, for a compensation not to exceed twenty dollars.

On motion of Senator Wooding, the resolution was laid on the table.

COMMUNICATIONS FROM STATE OFFICERS.

STATE OF WASHINGTON, DEPARTMENT OF STATE.

OLYMPIA, March 7, 1899.

To the President of the Senate of the State of Washington :

SIR—Pursuant to the provisions of House concurrent resolution No. 2, relative to the engrossing and framing of House memorial No. 1, I have the honor to herewith submit an estimate of the cost of such engrossing and framing.

For engrossing House memorial No. 1.....	\$5 00
For framing engrossed copy.....	5 00
Total.....	\$10 00

Very respectfully,

WILL D. JENKINS,
Secretary of State.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 7, 1899.

The Honorable President of the Senate :

SIR—I have the honor to inform you that the Governor has this day approved the following bills:

Senate bill No. 13, entitled “An act to establish experiment stations for the propagation of eastern oysters in the waters of Willapa harbor and Puget Sound, and making an appropriation therefor.”

Senate bill No. 49, entitled “An act to amend section 2490, volume 1, Hill’s Annotated Statutes and Codes of Washington, relating to swine unlawfully at large.”

Yours respectfully,

J. H. PELLETIER,
Governor’s Private Secretary.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 7, 1899.

MR. PRESIDENT :

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 229, entitled “An act to amend an act entitled ‘An act accepting the terms of an act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency,’ ” etc., have had the same under

consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

JOHN H. CARPER, Chairman.

We concur in this report: John I. Yeend, W. E. Runner.

The report was adopted.

OLYMPIA, March 7, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 27, entitled "An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, and declaring an emergency," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above Senate bill No. 27.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 396, entitled "An act amending section 12 of an act of the Legislature of 1893, relating to liens upon logs, spars and piles and other timbers, being section 5491 of Ballinger's Codes and Statutes of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be placed on general file.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: John H. Carper, S. Warburton, George D. Schofield, Harold Preston, John I. Yeend, Herman D. Crow.

The report was adopted.

House Concurrent Resolution No. 24, requesting permission for the introduction of a bill in the Legislature, was read, and on motion of Senator Megler, was placed on passage and passed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—30.

Nays: None.

Absent or not voting: Senators Keith, Paul, Preston, and Reinhart—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Megler, the rules were suspended and the resolution ordered immediately transmitted to the House.

Senate bill No. 191, by Senator LeCrone, An act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes, was placed on final passage and passed by the following vote: Yeas 32, nays 0, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 32.

Nays: None.

Absent or not voting: Senators Keith and Miller T. J.—2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator LeCrone, the rules were suspended and the bill ordered transmitted to the House.

Senate bill No. 245, by Senator Preston, An act relating to the law of libel, and providing for opportunity of retraction of libels, was placed on final passage and passed by the following vote: Yeas 18, nays 10, absent or not voting 6.

Those voting yea were: Senators Andrews, Baum, Clapp, Crow, Hall, Hammer, Hemrich, Hill, LeCrone, Megler, Miller David, Miller T. J., Paul, Preston, Schofield, Wilshire, Wooding, and Yeend—18.

Those voting nay were: Senators Baker, Biggs, Carper, Cole, Davis, High, Land, McReavy, Reinhart, and Van Patten—10.

Absent or not voting were: Senators Hamilton, Keith, Mantz, Plummer, Runner, and Warburton—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senator Hall moved to reconsider the vote by which the bill passed.

The motion prevailed, and the bill was again placed on final passage and passed by the following vote: Yeas 20, nays 9, absent or not voting 5.

Those voting yea were: Senators Andrews, Baum, Biggs, Clapp, Crow, Hamilton, Hammer, Hemrich, Hill, LeCrone, Megler, Miller David, Miller T. J., Paul, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend — 20.

Those voting nay were: Senators Baker, Carper, Cole, Davis, Hall, High, Land, McReavy, and Van Patten — 9.

Absent or not voting: Senators Keith, Mantz, Plummer, Reinhart, and Runner — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston, the rules were suspended, and the bill ordered immediately transmitted to the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

The House has passed House bill No. 53, entitled "An act for the relief of Jasper N. Warren, guard or custodian of the Whatcom County Normal School building, and making an appropriation therefor."

Also, House bill No. 109, entitled "An act prohibiting the employment of any Chinese on any public works in this state, and providing a penalty for the violation thereof."

Also, House bill No. 217, entitled "An act for the relief of Dora L. Tibbitts, and appropriating money therefor."

Also, House bill No. 309, entitled "An act prescribing the rate to be charged by persons, companies or corporations, operating or running sleeping cars upon the railroads within the state, and fixing a penalty for the violation thereof."

Also, House bill No. 407, entitled "An act for the relief of W. H. Burdon, and the estate of William Munks."

Also, House bill No. 444, entitled "An act for the relief of Capt. Henry Roeder."

Also, House bill No. 514, entitled "An act to prohibit the maintaining, conducting, operating, playing or using nickle-in-the-slot machines, or other devices of like character, wherein are used cards, dice, or any substitute therefor, or wherein there enters any element of chance."

Also, House bill No. 516, entitled "An act relating to fees, of witnesses in certain cases, and providing in what cases they shall not be allowed."

Also, House bill No. 531, entitled "An act amending an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington, approved March 15, 1897, and providing for the extension and completion of the tax rolls by the assessor, and making him clerk of the board of equalization, and declaring an emergency.' "

Also, House bill No. 489, entitled "An act to amend an act entitled 'An act accepting the terms of an act of congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency,' approved March 22, 1895, and to amend an act entitled 'An act to amend an act entitled "An act accept-

ing the terms of an act of congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor, and declaring an emergency, approved March 22, 1895," and providing further for carrying into effect said grant approved March 19, 1897,' repealing certain sections thereof, and to further provide for the acceptance by the State of Washington from the United States of certain land, and providing for the reclamation, occupancy and disposal of the same."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The secretary read the majority and minority reports of the committee on Senate bill No. 166.

Senator T. J. Miles moved to adopt the majority report.

Senator Hamilton moved to substitute the minority for the majority report.

Senator Schofield moved to lay on the table.

Senators Hamilton, Crow, McReavy, Hammer, Miller T. J., and Runner demanded the roll call on the motion to lay on the table, which prevailed by the following vote: Yeas 19, nays 10, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Clapp, Cole, Davis, Hall, Hemrich, High, Land, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Wooding, and Yeend—19.

Those voting nay were: Senators Crow, Hamilton, Hammer, Mantz, Preston, Reinhart, Runner, Van Patten, Warburton, and Wilshire—10.

Absent or not voting: Senators Baum, Carper, Hill, Keith, and LeCrone—5.

House bill No. 452, by Committee on Appropriations, An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1899, and ending March 31, 1901, was placed on final passage and passed by the following vote: Yeas 18, nays 13, absent or not voting 3.

Those voting yea were: Senators Baum, Carper, Cole, Davis, High, Hill, Keith, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Van Patten, and Yeend—18.

Those voting nay were: Senators Andrews, Baker, Clapp, Crow, Hamilton, Hammer, Hemrich, Megler, Preston, Schofield, Warburton, Wilshire, and Wooding—13.

Absent or not voting: Senators Biggs, Hall, and LeCrone—3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator T. J. Miller the rules were suspended, and the bill ordered transmitted at once to the House.

House bill No. 393, by Committee on Mines and Mining, Amending section 6 of an act entitled "An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency," approved March 17, 1897, was placed on final passage and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hemrich, High, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, Wooding and Yeend — 29.

Nays: None.

Absent or not voting: Senators Biggs, Hammer, Land, Miller David, and Warburton — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The bill was ordered immediately transmitted to the House, under suspension of the rules.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 350, entitled "An act to regulate and control insurance companies, corporations and associations in this state, etc."

Also, House bill No. 272, entitled "An act providing for the manner of locating and holding lode and placer mining claims, prescribing authority of mining districts."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president has signed the above House bills Nos. 350 and 272.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

The House has refused to concur in the amendments to House bill No. 248, as made by the honorable Senate.

The House has passed Senate bill No. 79, entitled "An act to preserve

from pollution the water supplied to the inhabitants of cities and towns in the State of Washington, etc.”

Also, House joint resolution No. 24, asking for permission to introduce a bill providing for the honorable interment of the Washington volunteers returned by the government of the United States.

And the same are herewith transmitted.

The House has indefinitely postponed Senate bills Nos. 77, 78, 144, 171, and 190; and laid on the table Senate bills Nos. 9, 20, and 30.

W. F. DILLON, Chief Clerk.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 96, entitled “An act making appropriations for certain deficiencies of previous fiscal terms and for other purposes,” have had the same properly enrolled.

Respectfully submitted.

We concur in this report: John I. Yeend, J. A. Cole.

The president signed the above Senate bill No. 96.

The president called Senator Carper to the chair.

House bill No. 148, by Mr. Parker, an act to provide for the payment of expenses incurred in compliance with an act entitled “An act to provide for the construction and maintenance of dikes and dams in certain cases,” was read the third time by sections.

Senator Preston moved to place the bill on its final passage.

Senator Davis moved to amend by striking the enacting clause.

Senator Land moved to lay on the table.

Senators Preston, Hammer, Hall, Runner, McReavy, and Crow, demanded the roll call on the motion to lay on the table, which motion prevailed by the following vote: Yeas 15, nays 7, absent or not voting 12.

Those voting yea were: Senators Cole, Davis, High, Hill, Keith, Land, Mantz, McReavy, Miller T. J., Paul, Reinhart, Runner, Schofield, Van Patten, and Warburton—15.

Those voting nay were: Senators Andrews, Baker, Crow, Hall, Hammer, LeCrone, and Preston—7.

Absent or not voting: Senators Baum, Biggs, Carper, Clapp, Hamilton, Hemrich, Megler, Miller David, Plummer, Wilshire, Wooding, and Yeend—12.

Senator High moved that the Senate resolve itself into a Committee of the Whole for the consideration of House bills Nos. 195, 316, 314, 279, 408, and Senate bill No. 226.

The motion prevailed.

The Senate went into Committee of the Whole.

Senator T. J. Miller in the chair.

The committee arose and reported to the Senate with the recommendation that House bill No. 195, do pass, with the following amendments:

Strike "or drink," in line 1, section 2.

Strike "\$600.00" and insert "\$300.00," line 3, section 6.

Insert after expense, in line 4, section 6, "out of the pure food fund."

Strike "\$1,200.00" and insert "\$600.00" in line 2, section 7. And that Senate bill No. 226 do not pass; that House bill No. 316 do pass, and that House bills Nos. 279 and 408 do pass, and ask leave to sit again for the further consideration of House bill No. 314.

On motion of Senator Plummer, the report was adopted.

On motion of Senator Land, the Senate adjourned at 12:25 P. M. until 2:30 P. M.

AFTERNOON SESSION.

The president called the Senate to order at 2:30 P. M., pursuant to adjournment.

The secretary called the roll, all members being present.

Senator Baum withdrew his notice to reconsider the vote by which Senate bill No. 114 passed.

The secretary read a veto message from the Governor on Senate bill No. 222.

On motion of Senator Hamilton, action was deferred on the communication until 7:30 P. M.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

The House has consented to the return of House bill No. 248 for the reconsideration of the Senate amendments thereto, and the same is herewith transmitted.

W. F. DILLON, Chief Clerk.

STATE OF WASHINGTON, AUDITOR'S OFFICE,

OLYMPIA, WASH., March 8, 1899.

Hon. Dudley Eshelman, Secretary of Senate, Olympia, Wash.:

DEAR SIR — From the pay-rolls already submitted for the Senate and House, the appropriation of ten thousand dollars will be exhausted, and we think it will take an additional appropriation of at least two thousand dollars to pay the expenses incident to the close of the session.

Please take such action as you deem necessary in the matter.

Yours very respectfully,

NEAL CHEETHAM, State Auditor.

By D. B. GARRISON, Deputy.

On motion of Senator Megler, the communication was referred to the Committee on Appropriations, to introduce a resolution pursuant to above.

Senate concurrent resolution No. 17, relating to the introduction of a bill, was read and adopted by the following vote: Yeas 25, nays 1, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Davis, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Reinhart, Runner, Van Patten, Warburton, Wilshire, and Yeend — 21.

Senator Hamilton voted nay.

Absent or not voting: Senators Crow, Hall, Hammer, Keith, Miller T. J., Preston, Schofield, and Wooding — 8.

On motion of Senator Megler, the rules were suspended and the resolution ordered immediately transmitted to the House.

Senator Preston asked consent to withdraw Senate bill No. 125, for the purpose of correcting errors, which consent was granted, and the bill corrected as follows:

Amend section 3 by adding thereto the following: "A list of the names so chosen shall be spread at length upon the journal of the court, and all names subsequently drawn from the box shall at the time of the drawing be compared and checked in open court with the list as so recorded."

Section 11: In the last proviso, strike from the words "without such stipulation the agreement between the parties" the word "the" and insert in place of it the word "or"; in the last proviso strike from the words "or without such stipulation the agreement may order" the word "agreement" and insert in place thereof the word "court."

Section 13: Strike all after the words "from his office."

OLYMPIA, March 6, 1894.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 379, entitled "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended, as follows:

Strike words "Gray's Harbor," line 2, sec. 1.

Strike proviso, end of sec. 1, engrossed bill.

Strike "or," line 2, sec. 4, before "Willapa" and after "tributaries."

Insert "or Gray's Harbor" after "harbor" and before "in," line 2, sec. 4.

Strike "and" after "tributaries" before "Willapa," line 7, sec. 4.

Insert after "Willapa Harbor," line 7, sec. 4, the words "and Gray's Harbor."

Add words "and Gray's Harbor" to line 22, sec. 6.

Strike "or" after "river" before "on," line 23, sec. 6.

Add after words "Willapa Harbor" words "or Gray's Harbor."

Sec. 4, strike line 1.

Strike line 2 up to words "every person."

Strike "thirty-five," line 4, insert in lieu thereof "thirty."

In lines 10 and 11 strike words "number of cases canned and the."

Add as section seven and one-half (7½) the following:

SEC. 7½. Every person, firm or corporation engaged in canning salmon shall procure a license before commencing the season's pack, as follows:

For each cannery packing less than 10,000 cases per annum, \$100.

For each cannery packing from 10,000 to 15,000 cases, \$150.

For each cannery packing from 15,000 to 20,000 cases, \$200.

For each cannery packing from 20,000 to 25,000 cases, \$250.

For each cannery packing from 25,000 to 30,000 cases, \$300.

For each cannery packing from 30,000 to 40,000 cases, \$400.

For each cannery packing from 40,000 to 50,000 cases, \$500.

For each cannery packing from 50,000 to 60,000 cases, \$600.

For each cannery packing from 60,000 to 70,000 cases, \$700.

For each cannery packing from 70,000 to 80,000 cases, \$800.

For each cannery packing from 80,000 to 90,000 cases, \$900.

For each cannery packing from 90,000 to 100,000 cases, \$1,000.

Rates on all canneries to be based upon pack of each preceding year. New canneries shall pay a license of \$250 until pack is definitely known.

In line 4, sec. 8 of the printed bill, insert after "Skagit river" words "up to the town of Hamilton."

Strike House amendment to engrossed bill, namely, words "except in the" before words "Skagit river," line 9, sec. 8.

Also, lines 10, 11 and 12, engrossed bill, namely, words "up to the town of Hamilton, and from the mouth of the Baker river up the Skagit and its tributaries."

Strike sec. 14 of engrossed bill.

Add to sec. 3: "All pound nets or traps shall conspicuously show at night time, between sunset and sunrise, a bright white light."

Line 2, sec. 8, strike "month of October," insert in lieu thereof "15th of October to 15th of November."

Line 5, sec. 20, strike "50," insert "10," so as to read "not less than ten dollars."

Respectfully submitted.

JOHN MCREAVY, Chairman.

We concur in this report: G. D. Schofield, Augustus High, J. G. Megler, D. E. Biggs, J. A. Davis, Geo. H. Baker.

House bill, 379, (substitute for House bills 244, 247, 337 and 340), by Committee on Fisheries, An act providing for the protection and propagation of the food fishes, etc., was read the third time by sections.

Senator Wilshire moved to strike out "50" in line 18, section 6, and insert "25" in lieu thereof.

Senate bill No. 253, by Senator High, making appropriations for legislative expenses, was read the first time, and, on motion of Senator High, the rules were suspended, the bill read the second time by title and referred to the Committee of the Whole.

House bill No. 379 was again taken up for consideration.

Senators Wilshire, Runner, Hammer, Wooding, Mantz, and Hamilton demanded the roll call on the motion pending, which was lost by the following vote: Yeas 4, nays 25, absent or not voting 5.

Those voting yea were: Senators Hemrich, Paul, Wilshire, and Wooding — 4.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, High, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Runner, Schofield, Van Patten, Warburton, and Yeend — 25.

Absent or not voting: Senators Hammer, Keith, Land, Preston, and Reinhart — 5.

Senator Wilshire moved to strike "25" in line 19, section 6, and insert "10" in lieu thereof.

The motion was lost.

The bill was placed on final passage and passed by the following vote: Yeas 30, nays 1, absent or not voting 3.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend — 30.

Senator Wilshire voted nay.

Absent or not voting: Senators Andrews, Clapp, and Keith—3.

The emergency clause passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend—29.

Senator Wilshire voted nay.

Absent or not voting: Senators Andrews, Clapp, Keith, and Paul—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Biggs, the rules were suspended and the bill ordered immediately transmitted to the House.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 114, entitled "An act in relation to superior courts and the election and appointment of superior court judges," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills to whom was referred Senate bill No. 236, entitled "An act relating to the filing and recording of mixed chattel and real estate mortgages in the State of Washington, and curative provisions relative thereto," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills to whom was referred Senate bill No. 125, entitled "An act providing for and regulating the selection of jurors in the superior courts of this state," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C. A. Mantz.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 26, entitled "An act making appropriations for certain deficiencies of previous fiscal terms and for other purposes."

Also, Senate bill No. 27, entitled "An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof, and declaring an emergency."

And the same are herewith transmitted to the Senate.

The House has indefinitely postponed Senate bills Nos. 65 and 17, and laid on the table Senate bill No. 206.

The House has refused to concur in the amendments to House bill No. 452, as made by your honorable Senate.

The House has passed Senate bill No. 83, entitled "An act to establish an industrial home for the blind, making an appropriation therefor, and declaring an emergency," with amendments as attached.

Also, Senate concurrent resolution No. 17, "Authorizing the introduction of a bill by Senator High providing for the appropriation of \$2,000 for legislative expenses."

The speaker of the House has signed House bill No. 349, entitled "An act to regulate and control insurance companies, corporations and associations in this state and to amend sections 1, 6 and 7 of an act entitled 'An act to regulate and control insurance companies, etc.'"

Also, House bill No. 439, entitled "An act relating to the assessment and collecting of taxes in the State of Washington."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

On motion of Senator Baum, Senate bill No. 158 was indefinitely postponed.

Senator High moved that the Senate do not recede from their amendments to House bill No. 452.

The motion prevailed.

On motion of Senator Davis, Senate bill No. 236, by Senator Preston, An act relating to the filing and recording of mixed chattel and real estate mortgages in the State of Washington, and curative provisions relative thereto, was placed on final passage and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Warburton, Wilshire, Wooding, and Yeend—28.

Nays: None.

Absent or not voting: Senators Carper, High, Hill, Keith, Schofield, and Van Patten—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, the Senate receded from their amendments to House bill No. 248 by the following vote: Yeas 24, nays 4, absent or not voting 6.

Those voting yea were: Senators Andrews, Biggs, Carper, Clapp, Cole, Crow, Hamilton, Hammer, Hemrich, High, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—24.

Those voting nay were: Senators Davis, Hill, Miller T. J., and Paul—4.

Absent or not voting: Senators Baker, Baum, Hall, Keith, Reinhart, and Runner—6.

The emergency clause passed by the following vote: Yeas 29, nays 2, absent or not voting 3.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—29.

Those voting nay were: Senators Hill and Paul—2.

Absent or not voting: Senators Baker, Keith, and Runner—3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Preston, the Senate refused to concur in the House amendments to Senate bill No. 85.

Senator Megler moved that the Senate resolve itself into Committee of the Whole for the consideration of House bills Nos. 438, 253, 314, 300, and Senate bill No. 85.

The motion prevailed, and the Senate went into Committee of the Whole, with Senator T. J. Miller in the chair.

The president resumed the chair, and the following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

The House has passed House bill No. 469, entitled "An act relating to chattel mortgages and the filing thereof, and repealing all laws in conflict therewith," and the same is herewith transmitted.

The House has concurred in the Senate amendments to House bill No. 379, with the exception of the following: "Strike all of proviso at end of section 1."

The House has passed House bill No. 193, entitled "An act to provide for the adoption and use of school text-books in all school districts including or included within cities and towns maintaining high schools, and supplying free to their pupils text-books and supplies."

Also, House bill No. 371, entitled "An act for the appointment of a hop inspector."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The Senate again went into committee of the whole, Senator T. J. Miller in the chair.

The committee arose and reported the bill back to the Senate, with the recommendation that House bill No. 438 do pass with the following amendments: Line 2, section 1, by striking "forty-two" "\$42,000," and inserting "forty-four" "\$44,000."

Add, line 40½, "\$2,000 for a fish hatchery to be located on the Skagit river or tributaries at a point hereafter to be determined by the Commissioner."

That House bill No. 253 do pass.

That House bill No. 314 do pass.

That House bill No. 300 do pass.

That Senate bill No. 85 do pass with the following amendments: Section 1, line 1, by striking "general" and inserting fish hatchery."

Section 2, line 2, by striking "and it is made his duty."

On motion of Senator McReavy, the report was adopted.

Senator McReavy moved that the reading of the bills in the committee be considered their third reading in the Senate.

The motion prevailed.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 125, entitled "An act providing for and regulating the selec-

tion of jurors in the superior courts of this state," have had the same properly engrossed.

Respectfully submitted.

HAROLD PRESTON.

I concur in this report: C A. Mantz.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 75, entitled "An act relating to the School for Defective Youth and amending sections 993, 1006 and 1016 of volume 1 Hill's Code of the State of Washington and declaring an emergency," have had the same properly enrolled.

Respectfully submitted.

JOHN I. YEEND.

I concur in this report: J. A. Cole.

The president signed the above Senate bill No. 75.

House bill No. 195, by Mr: White, An act to provide against the adulteration of food, was placed on final passage and passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Davis, Hall, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Reinhart, Runner, Schofield, Wilshire, Wooding, and Yeend—26.

Nays: None.

Absent or not voting: Senators Biggs, Crow, Hamilton, Keith, Paul, Preston, Van Patten, and Warburton—8.

The emergency clause failed to pass by the following vote: Yeas 21, nays 9, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hammer, Hemrich, High, Hill, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, and Reinhart—21.

Those voting nay were: Senators Baker, Hall, Mantz, Preston, Schofield, Van Patten, Warburton, Wilshire, and Wooding—9.

Absent or not voting: Senators Hamilton, Keith, Runner, and Yeend—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 85, entitled "An act appropriating money for the purpose of building and maintaining a fish ladder, over Myers' Falls, on the Col-

ville river, in Stevens county, Washington," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 1, 1899.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 85, entitled "An act appropriating money for the purpose of building and maintaining a fish ladder over Myers' Falls, on the Colville river, in Stevens county, Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

JOHN McREAVY, Chairman.

We concur in this report: J. G. Megler, Geo. D. Schofield, Geo. H. Baker, Augustus High, J. A. Davis.

On motion of Senator Plummer Senate bill No. 226 was indefinitely postponed.

House bill No. 316, an act appropriating the sum of \$400.00 for the construction of a fish way in the Skokomish river in Mason county, was placed on final passage and passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Schofield, Van Patten, Wilshire, Wooding, and Yeend—27.

Absent or not voting: Senators Hall, Hamilton, Keith, Paul, Reinhart, Runner, and Warburton—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 408, for an act to be entitled "An act transferring moneys in the state treasury credited to the revolving fund of the State Penitentiary to the general fund and declaring an emergency," was placed on final passage and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Reinhart, Schofield, Warburton, Wilshire, Wooding, and Yeend—28.

Absent or not voting were: Senators Biggs, Keith, Plummer, Preston, Runner, and Van Patten—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 279, by Mr. Frye, An act for the relief of Captain Ed. E. Hardin, was placed on final passage and passed by the following vote: Yeas 32, nays none, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—32.

Absent or not voting: Senators Keith, and Runner.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 314, by Mr. Baldwin, An act for the relief of Captain Harry St. George, and declaring an emergency, was placed on final passage and passed by the following vote: Yeas 29, nays none, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, and Yeend—29.

Absent or not voting: Senators Biggs, Hemrich, Keith, Paul, and Wooding—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 438 (substitute for House bills Nos. 62, 67 and 210), by Committee on Fisheries and Game, an act providing for the construction of fish hatcheries, and making appropriations therefor, was placed on final passage and passed by the following vote: Yeas 33, nays none, absent or not voting 1.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—33.

Nays none.

Absent or not voting: Senator Keith.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 300, for the relief of Mrs. J. H. Stahl, was placed on final passage and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Wilshire — 28.

Nays none.

Absent or not voting were: Senators Baum, Biggs, Keith, Warburton, Wooding, and Yeend — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 114, for the relief of Captain Percy G. Maltbie, and declaring an emergency, was placed on final passage and passed by the following vote: Yeas 30, nays 1, absent or not voting 3.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Wooding — 30.

Senator Runner voted nay.

Absent or not voting: Senators High, Keith, and Yeend — 3.

The emergency clause passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Davis, Hall, Hamilton, Hammer, High, Hill, Land, LeCrone, McReavy, Megler, Miller T. J., Paul, Plummer, Reinhart, Schofield, Van Patten, Warburton, Wilshire, and Wooding — 26.

Nays: None.

Absent or not voting: Senators Crow, Hemrich, Keith, Mantz, Miller David, Preston, Runner, and Yeend — 8.

There being no objections, the title to the bill was ordered to stand as the title of the act.

House bill No. 253, to amend sections 2, 3, 4, 12 and 13 of an act entitled "An act for the protection of game animals and

birds, and song birds," etc., was placed on final passage and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Warburton — 29.

Nays: None.

Absent or not voting: Senators Biggs, Keith, Wilshire, Wooding and Yeend — 5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

The House has passed House bill No. 332, entitled "An act providing for the public printing of the State of Washington."

The speaker of the House has signed Senate bill No. 75, entitled "An act relating to the school for defective youth, and amending sections 993 and 1016 of volume 1, Hill's Code of the State of Washington, and declaring an emergency."

Also, Senate bill No. 79, entitled "An act to preserve from pollution the waters supplied to the inhabitants of cities and towns in the State of Washington, etc."

And the same are transmitted herewith to the Senate.

The House has concurred in the Senate amendments to House bill No. 488.

Also, Senate amendments to House bill No. 438.

Also, Senate amendments to House bill No. 316.

The House has refused to recede from its non-concurrence in the amendments to Senate bill No. 83, and Mr. Speaker has appointed on the part of the House Mr. Gleason, Mr. Daniels, and Mr. LaFollette as a conference committee.

The House has passed House bill No. 512, entitled "An act fixing the age of majority of males and females."

Also, House bill No. 517: "An act to amend section 17 of an act entitled 'An act to regulate the practice and proceedings in civil cases' approved December 7th, 1881.

Also, House bill No. 262, entitled "An act to regulate common carriers, creating the railroad and transportation commission of the State of Washington and defining the duties of such commission in relation to common carriers," and the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

SENATE CHAMBER,

OLYMPIA, March 8, 1899.

MR. PRESIDENT.

We, your Committee on Enrolled bills, to whom was referred Senate bill No. 79, entitled "An act to preserve from pollution the water supplied the inhabitants of cities and towns in the State of Washington; to declare what are nuisances in the vicinity of the source of such water supply, etc," have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: E. C. Keith.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 163, entitled "An act to provide for the more efficient assessment and collection of taxes on property of railroads in the State of Washington, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

C. A. MANTZ.

I concur in this report: Harold Preston.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred House bill No. 38, entitled "An act to amend section 51, Chapter 89, Laws of 1897, being an act relating to public lands of the state, approved March 16, 1897, and to add a new section thereto to stand as section 72," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report: John H. Carper, J. G. Megler, L. B. Andrews, David Miller, J. C. Van Patten, Ed. S. Hamilton.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 161, entitled "An act providing for conducting the Agricultural Experiment Station heretofore established at Puyallup, Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill do pass.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report: Harold Preston, C. F. Clapp, Daniel Paul, Ed. S. Hamilton, Paul Land, John H. Carper, W. E. Runner.

The report was adopted.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 413, entitled "An act to create the county of Wenatchee, subject to the requirements of the state constitution and statutes in respect to the

establishment of new counties," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: Herman D. Crow, C. A. Mantz, S. Warburton, Geo. D. Schofield.

The report was adopted.

FIRST AND SECOND READING OF HOUSE BILLS.

House bill No. 53, by Mr. Callvert: An act for the relief of Jasper M. Warren, guard or custodian of the Whatcom County Normal School building, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 109, by Mr. Lambert: An act prohibiting the employment of any Chinese on any public works in this state, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Mantz, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 217, by Mr. Field: An act for the relief of Dora S. Tibbits, and appropriating money therefor.

The bill was read the first time; and, on motion of Senator McReavy, the rules were suspended, the bill read the second time by title, and referred to Committee on Claims and Auditing.

House bill No. 309, by Mr. Heilig: An act prescribing the rate to be charged by persons, companies or corporations operating or running sleeping cars upon the railroads within the state, and fixing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 407 (by request): An act for the relief of W. H. Bardon and estate of Wm. Munks.

The bill was read the first time; and, on motion of Senator Keith, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 444, by Mr. Callvert: An act for the relief of Captain Henry Roeder.

The bill was read the first time; and, on motion of Senator

Yeend, the rules were suspended, the bill read the second time by title, and placed on general file.

House bill No. 560, by Mr. Heilig: An act relating to the fees of witnesses in certain cases and providing in what cases they shall not be allowed.

The bill was read the first time, and on motion of Senator Schofield the rules were suspended, the bill read the second time by title and placed on general file.

House bill No. 531, by Committee on Revenue and Taxation: An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, and providing for the extension and completion of the tax rolls by the assessor and making him clerk of the board of equalization, and declaring an emergency.

The bill was read the first time, and on motion of Senator Schofield the rules were suspended, the bill read the second time by title and placed on general file.

House bill No. 489, by Mr. Sharp: An act to amend an act entitled "An act accepting the terms of an act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor and declaring an emergency," approved March 22, 1895, and to amend an act entitled "An act to amend an act entitled 'An act accepting the terms of an act of Congress approved August 18, 1894, providing for the reclamation, settlement and disposition,' " etc.

The bill was read the first time, and on motion of Senator Schofield, the rules were suspended, the bill read the second time by title and referred to Committee on Irrigation and Arid Lands.

House concurrent resolution No. 24, *Resolved by the House, the Senate concurring*, That permission is hereby granted for the introduction of a bill entitled "An act providing for the honorable interment of the bodies of Washington Volunteers returned by the government of the United States, making an appropriation therefor and declaring an emergency."

The resolution was read the first time, and on motion the rules were suspended, resolution read the second time.

Senate bill No. 253, by Senator High: An act appropriating the sum of \$2,000.00 or so much thereof as shall be necessary for legislative purposes.

The bill was read the first time, and on motion of Senator High the rules were suspended, the bill read the second time by title and referred to Committee of the Whole.

Senate bill No. 125, by Senator Preston, Providing for and regulating the selection of jurors in the superior courts of this state; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict herewith, was placed on final passage and failed to pass by the following vote: Yeas 5, nays 16, absent or not voting 13.

Those voting yea were: Senators Baum, Crow, Hammer, Warburton, and Wilshire—5.

Those voting nay were: Senators Andrews, Biggs, Clapp, Cole, Davis, Hall, High, Hill, McReavy, Megler, Miller David, Preston, Reinhart, Schofield, Van Patten, and Wooding—16.

Absent or not voting: Senators Baker, Carper, Hamilton, Hemrich, Keith, Land, LeCrone, Mantz, Miller T. J., Paul, Plummer, Runner, and Yeend—13.

On motion of Senator Megler, the Senate receded from the amendments to House bill No. 379, by the following vote: Yeas 30, nays 1, absent or not voting 3.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend—30.

Senator Wilshire voted nay.

Absent or not voting: Senators Andrews, Clapp, and Keith—3.

Senator Preston moved to reconsider the vote by which Senate bill No. 125 failed to pass.

The motion prevailed, and the bill passed by the following vote: Yeas 22, nays 9, absent or not voting 3.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Crow, Hall, Hamilton, Hammer, Hemrich, Land, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, Wilshire, and Yeend—22.

Those voting nay were: Senators Clapp, Cole, Davis, High, Hill, McReavy, Runner, Van Patten, and Wooding—9.

Absent or not voting: Senators Carper, Keith, and Reinhart—3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Warburton the rules were suspended and the bill ordered immediately transmitted to the House.

Senator High moved to concur in House amendments to House bill No. 383.

Senator Preston moved to amend, that the Senate do not concur.

The amendment prevailed.

Senate bill No. 85, "An act appropriating money for the purpose of building and maintaining a fish ladder over Myers' Falls, on the Colville river, in Stevens county, Washington," was read the third time, placed on final passage and passed by the following vote: Yeas 32, nays none, absent or not voting 2.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, and Yeend—32.

Absent or not voting: Senators Keith, and Wooding—2.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

Senator Mantz moved that all bills passed to-day be ordered immediately transmitted to the House.

On motion of Senator Plummer, the Senate adjourned at 5:30 P. M. until 7:30 P. M.

----- EVENING SESSION. -----

President Daniels called the Senate to order at 7:30 P. M., pursuant to adjournment.

The secretary called the roll; all members being present except Senator Reinhart, who was excused.

The message from the Governor relating to Senate bill No. 222, was taken up for consideration.

Senator Warburton moved to make it a special order for 2 P. M. tomorrow.

The motion prevailed.

House bill No. 163, An act for the relief of James S. Krape, was placed on final passage and failed to pass by the following vote: Yeas 9, nays 13, absent or not voting 12.

Those voting yea were: Senators Carper, Hall, Hammer, Hill, Mantz, Runner, Van Patten, Wilshire, and Yeend—9.

Those voting nay were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Hamilton, LeCrone, McReavy, Megler, Preston, Schofield, and Warburton—13.

Absent or not voting: Senators Crow, Davis, Hemrich, High, Keith, Land, Miller David, Miller T. J., Paul, Plummer, Reinhart, and Wooding—12.

House bill No. 423, An act authorizing cities of the first class to levy and collect assessments upon property benefited by local improvements, and declaring an emergency, was placed on final passage and passed by the following vote: Yeas 27, nays 1, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, KeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend—27.

Those voting nay were: Senator Mantz.

Absent or not voting: Senators Biggs, Carper, Hall, Land, Reinhart, and Warburton—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 243, An act amending section 1 of an act entitled "An act relating to beds of natural oysters, and declaring an emergency," approved March 7, 1895, being section 3375 of Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency, was placed on final passage and passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Van Patten, Warburton, and Yeend—25.

Nays: None.

Absent or not voting: Senators Hamilton, Hammer, Hemrich, Hill, Preston, Reinhart, Runner, Wilshire, and Wooding—9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 440, by Mr. Conway, An act to provide for the official measurement of all milk cans, etc., was placed on final passage, and passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Runner, Schofield, Van Patten, Warburton, and Wilshire—29.

Senator Yeend voted nay.

Absent or not voting: Senators Crow, Preston, Reinhart, and Wooding—4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 210, an act providing for making definite and certain the boundaries of incorporated towns or cities of the fourth class, the boundaries of which are indefinite or uncertain, was placed on final passage and passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller David, Plummer, Schofield, Van Patten, Warburton, Wooding, and Yeend—24.

Nays none.

Absent or not voting: Senators Clapp, Crow, Davis, Hall, Miller T. J., Paul, Preston, Reinhart, Runner, and Wilshire—10.

The emergency clause passed by the following vote: Yeas 25, nays none, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Cole, Crow, Hamilton, Hammer, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wooding, and Yeend—25.

Absent or not voting: Senators Baum, Clapp, Davis, Hall, Hemrich, Miller T. J., Reinhart, Runner, and Wilshire—9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 246, An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electrical current, or appurtenances or appliances connected therewith, etc., was placed on final passage and passed by the following vote: Yeas 21, nays 4, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hemrich, High, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Van Patten, Warburton, and Yeend — 21.

Those voting nay were: Senators Biggs, Hammer, Land, and Mantz — 4.

Absent or not voting: Senators Baum, Hall, Hill, Paul, Preston, Reinhart, Runner, Wilshire, and Wooding — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 215, An act prohibiting the sale of mountain, lake, stream and brook trout, and declaring an emergency, was placed on final passage, and failed to pass by the following vote: Yeas 13, nays 16, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Cole, Hamilton, Keith, Land, Miller David, Schofield, Van Patten, Wooding, and Yeend — 13.

Those voting nay were: Senators Clapp, Crow, Hall, Hammer, Hemrich, High, Hill, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, and Wilshire — 16.

Absent or not voting: Senators Baum, Davis, Reinhart, Runner, and Warburton — 5.

House bill No. 488, An act to encourage and protect the culture of deep water oysters in the State of Washington, and declaring an emergency, was read the third time by sections.

Senator Preston moved to insert in line 2, section 1, after the words "oyster beds," the following: "and not in front of any incorporated city or town, nor within two miles on either side thereof."

The motion prevailed and the bill was placed on final passage and passed by the following vote: Yeas 22, nays 0, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Baum,

Carper, Clapp, Cole, Davis, Hall, Hammer, High, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Preston, Schofield, Van Patten, Wilshire, and Yeend — 22.

Nays: None.

Absent or not voting: Senators Biggs, Crow, Hamilton, Hemrich, Keith, Land, Miller T. J., Plummer, Reinhart, Runner, Warburton, and Wooding — 12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The emergency clause passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Davis, Hall, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Crow, Hamilton, Hemrich, Miller T. J., Reinhart, Warburton, and Wooding — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 417, An act amending section 1 of an act entitled "An act relating to justices of the peace and constables in cities having more than five thousand inhabitants, and fixing their number and salaries," approved March 13, 1897; providing for making one of the justices elected in incorporated cities a police justice, and defining his duties, jurisdiction and powers, was read the third time by sections.

Senator Cole moved to strike out line 1 and line 2 up to and including "located" in section 12 and insert in lieu thereof the words "the Governor."

The motion was lost.

The bill was placed on final passage and passed by the following vote: Yeas 22, nays 5, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Biggs, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, LeCrone, McReavy, Megler, Miller T. J., Plummer, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend — 22.

Those voting nay were: Senators Cole, Land, Mantz, Miller David, and Runner — 5.

Absent or not voting: Senators Baum, Carper, Crow, High, Paul, Reinhart, and Van Patten — 7.

The emergency clause failed to pass by the following vote: Yeas 17, nays 5, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Biggs, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Keith, McReavy, Megler, Preston, Schofield, Warburton, and Wilshire — 17.

Those voting nay were: Senators Mantz, Miller David, Van Patten, Wooding, and Yeend — 5.

Absent or not voting: Senators Baum, Carper, Cole, High, Hill, Land, LeCrone, Miller T. J., Paul, Plummer, Reinhart, and Runner — 12.

House bill No. 100, An act authorizing municipal corporations to provide for the acceptance of warrants upon local improvement funds in satisfaction of assessments for local improvements, was read the third time by sections.

Senator Preston moved to insert "in due order of priority or right" after "acceptance" in line 1, section 1.

The motion prevailed, and the bill was placed on final passage and passed by the following vote: Yeas 22, nays 0, absent or not voting 12.

Those voting yea were: Senators Andrews, Biggs, Carper, Clapp, Davis, Hamilton, Hammer, Hemrich, High, Hill, Keith, LeCrone, Mantz, Megler, Miller David, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, and Wooding — 22.

Nays: None.

Absent or not voting: Senators Baker, Baum, Cole, Crow, Hall, Land, McReavy, Miller T. J., Paul, Reinhart, Warburton, and Yeend — 12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 38 was placed on final passage and passed by the following vote: Yeas 21, nays 1, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Davis, Hamilton, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Van Patten, and Warburton — 21.

Senator Wilshire voted nay.

Absent or not voting: Senators Baum, Cole, Crow, Hall, Ham-

mer, Hemrich, Keith, Reinhart, Runner, Schofield, Wooding, and Yeend — 12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The president called Senator Carper to the chair.

House bill No. 424, An act to establish the number of hours to constitute a day's work on all state, county or municipal construction or such work done by contract or sub-contract, and providing penalties for its violation, was placed on final passage and passed by the following vote: Yeas 18, nays 10, absent or not voting 6.

Those voting yea were: Senators Biggs, Carper, Cole, Crow, Davis, Hamilton, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller T. J., Paul, Plummer, Runner, Wooding, and Yeend—18.

Those voting nay were: Senators Andrews, Baker, Hall, Hammer, Megler, Miller David, Preston, Schofield, Van Patten, and Wilshire — 10.

Absent or not voting: Senators Baum, Clapp, Hemrich, High, Reinhart, and Warburton — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 192, An act to prevent the spread of infectious diseases, and to provide for the disinfection of infected premises, was placed on final passage and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Andrews, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Baker, Baum, Davis, High, Keith, Land, Miller T. J., Preston, Reinhart, and Warburton—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 462, An act relating to sale of allotted lands by Indians, was placed on final passage, and passed by the following vote: Yeas 23, nays 1, absent or not voting 10.

Those voting yea were: Senators Andrews, Baum, Biggs, Cole, Davis, Hall, Hamilton, Hemrich, Hill, Keith, Land, Le-

Crone, Mantz, McReavy, Megler, Miller David, Paul, Plummer, Preston, Schofield, Van Patten, Warburton, and Wooding — 23.

Senator Wilshire voted nay.

Absent or not voting: Senators Baker, Carper, Clapp, Crow, Hammer, High, Miller T. J., Reinhart, Runner, and Yeend — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

The House has passed House bill No. 534, entitled "An act to prohibit the sale or offering for sale or bringing into the state for the purpose of sale or giving away of any cigarettes, cigarette paper, or substitute thereof, and prescribing a penalty for the violation thereof."

Also, Senate bill No. 225, entitled "An act to amend section 53 of an act of the Legislature of the State of Washington entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster, and other lands, harbor areas,' " etc.

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the claim of the Olympia Door and Lumber Company for repairs on capitol building amounting to \$3.35, the Olympia Hardware Co. \$23.65, O. J. Wood \$4.95, The Fair 65 cents, Mamie McIntyre \$5.25, Bates Bros. \$8.75, Bancroft-Whitney Co. \$10.00, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they be paid.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, A. Hemrich, W. H. Plummer.

The report was adopted.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 486, entitled "An act to suppress and punish persons stealing rides on cars, engines and trains, and defining negligence relative thereto, and authorizing trainmen to arrest and prosecute offenders against this act," have had the same under consideration, and we respectfully report the

same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: G. H. Baker, Augustus High, Joseph Hill.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 508, entitled "An act to define the liabilities of railroad corporations in relation to damages sustained by their employes," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: F. M. Baum, John I. Yeend, C. A. Mantz, S. Warburton, John H. Carper, Harold Preston, Geo. D. Schofield.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 506, entitled "An act relating to the powers of cities of the fourth class, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be placed on general file.

Respectfully submitted.

THOS. J. MILLER, Chairman.

We concur in this report: S. Warburton, W. W. Wilshire, Geo. D. Schofield, Herman D. Crow.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of the Olympia Light and Power Company for lighting state building for months of April, May, June, and July, 1897, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the bill be allowed.

Respectfully submitted.

W. H. PLUMMER.

We concur in this report: J. A. Davis, A. Hemrich.

The report was adopted.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred the resolution of Senator Hamilton, regarding the disposition of the funds appropriated by the Legislature of 1897 for the enforcement of provisions of the railroad law passed at that session, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the appended report of Assistant Attorney General Vance be accepted as an accurate statement of the disposition of said funds and the present status of the litigation.

Respectfully submitted.

W. E. RUNNER, Chairman.

We concur in this report: Thos. J. Miller, David Miller, Ed. S. Hamilton, C. F. Clapp, Geo. D. Schofield.

The report was adopted.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 174, entitled "An act regulating the appropriation of the waters of this state for the purposes of irrigation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be placed on general file with the following amendment to the title: "And giving the Commissioner of Irrigation and Arid Lands jurisdiction in all cases of controversy between appropriators and users of the waters from the streams and lakes of this state."

Respectfully submitted.

JOHN H. CARPER, Chairman.

We concur in this report: F. M. Baum, John I. Yeend, Geo. H. Baker.

House bill No. 161, An act making an appropriation for conducting the agricultural experiment station heretofore established at Puyallup, Washington, was placed on final passage and passed by the following vote: Yeas 26, nays 1, absent or not voting 7.

Those voting yea were: Senators Andrews, Biggs, Carper, Cole, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend—26.

Senator Van Patten voted nay.

Absent or not voting: Senators Baker, Baum, Clapp, Crow, High, Reinhart, and Runner—7.

There being no objections, the title of the bill was ordered to stand as the title of this act.

House bill No. 179, An act relating to fees to be collected by the Secretary of State, and repealing an act entitled "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, and declaring an emergency," approved March 13, 1897, and declaring an emergency, was placed on final passage and failed to pass by the following vote: Yeas 15, nays 15, absent or not voting 4.

Those voting yea were: Senators Biggs, Cole, Davis, Hamilton, Hammer, Hemrich, Keith, Land, LeCrone, Mantz, Miller David, Miller T. J., Paul, Plummer, and Wooding—15.

Those voting nay were: Senators Andrews, Baker, Carper, Crow, Hall, High, Hill, McReavy, Megler, Preston, Schofield, Van Patten, Warburton, Wilshire, and Yeend—15.

Absent or not voting: Senators Baum, Clapp, Reinhart, and Runner—4.

Senate bill No. 201, An act regulating the allotment and expenditure of the road and bridge fund in counties in which there is a city of the first class.

Senator High moved to strike the enactment clause.

The motion was lost.

The bill was placed on final passage and failed to pass by the following vote: Yeas 10, nays 12, absent or not voting 12.

Those voting yea were: Senators Andrews, Cole, Crow, Davis, Hamilton, Hemrich, Land, LeCrone, McReavy, and Warburton—10.

Those voting nay were: Senators Biggs, Carper, High, Hill, Keith, Mantz, Miller David, Miller T. J., Paul, Plummer, Preston, and Wooding—12.

Absent or not voting: Senators Baker, Baum, Clapp, Hall, Hammer, Megler, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Yeend—12.

House bill No. 408, by Mr. Englehart, a bill for an act to be entitled "An act transferring moneys in the state treasury credited to the revolving fund of the state penitentiary to the general fund and declaring an emergency," was placed on final passage and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Biggs, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wooding, and Yeend—29.

Nays: None.

Absent or not voting: Senators Baum, Hall, Keith, Runner, and Wilshire—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 382, entitled "An act to regulate mutual fire insurance," was read.

Senator Warburton moved to add to sec. 5, "nor on any property exposed by any other building within 100 feet."

The motion was lost.

Senator High moved to strike "2.00," in line 6, sec. 14, and insert "1.00."

The motion was lost.

The bill was placed on final passage and passed by the following vote: Yeas 22, nays 5, absent or not voting 7.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Cole, Davis, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Van Patten, Wilshire, and Wooding — 22.

Those voting nay were: Senators Andrews, Hemrich, Preston, Schofield, and Yeend — 5.

Absent or not voting: Senators Clapp, Crow, Hall, High, Reinhart, Runner, and Warburton — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 380, an act for the protection of game animals and birds, song birds and game fish, creating the office of State Game Warden, and defining duties and imposing additional duties on county game wardens, was read the third time, placed on final passage and passed by the following vote: Yeas 24, nays 4, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Davis, Hamilton, Hemrich, High, Hill, Keith, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Runner, Schofield, Warburton, Wilshire, and Wooding — 24.

Those voting nay were: Senators Hall, Preston, Van Patten, and Yeend — 4.

Absent or not voting: Senators Biggs, Crow, Hammer, LeCrone, Paul, and Reinhart — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

House bill No. 423, An act authorizing cities of the first class to levy and collect assessments upon property benefited by local improvements, was read the third time.

Senator Mantz moved to strike section 4.

The motion was lost.

The bill was placed on final passage and passed by the following vote: Yeas 27, nays 1, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, High,

Hill, Keith, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend—27.

Senator Mantz voted nay.

Absent or not voting: Senators Biggs, Carper, Hall, Land, Reinhart, and Warburton—6.

Emergency clause passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Warburton—28.

Absent or not voting: Senators Keith, Miller David, Paul, Wilshire. Wooding, and Yeend—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 413, An act to create the county of Wenatchee, subject to the requirements of the state constitution and statutes in respect to the establishment of new counties.

Senator Baum moved to amend the bill as follows:

Amend section 1, line 24 "by striking the word "Wenatchee" as it appears twice in said line and insert in lieu thereof the word "Chelan."

Line 27, same section, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Section 2, line 3, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Line 6, same section, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Line 8, same section, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Section 3, line 4, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Line 7, same section, after the word "ascertain" strike all of said line; also strike all of lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and the word "counties" in line 19, and insert in lieu thereof the words "if the judge finds the petition sufficiently

signed then the said judge shall ascertain to his satisfaction upon evidence received in open court."

Line 19, same section, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Line 22, same section, strike the words "and if."

Strike all of lines 23 and 24 and all of the words up to and including the word "territory" in line 25, and insert in lieu thereof the words "Provided, however, that the judge may in his discretion appoint an elector or electors who shall be a freeholder residing within the territory of Chelan county to take a special enumeration of the population of the counties of Okanogan and Kittitas or any part thereof which he may desire so that it will show separately the number of the population living in such portion thereof within the boundaries of Chelan county and living in the rest of said counties of Kittitas and Okanogan."

Strike all of the new section 3½ of the engrossed bill.

Section 4, line 2, strike all after the word "county."

Line 3, same section, strike all of said line and the word "elections" in line 4 of said section.

Line 5, same section, amend by striking the word "Wenatchee" and inserting the word "Chelan" in lieu thereof.

Section 5, strike the words "if he approves the same" of the engrossed bill.

Section 5, lines 2 and 3, strike the word "Wenatchee" and insert the word "Chelan."

Section 6, line 1, strike the word "Wenatchee" and insert the word "Chelan."

Line 2, same section, strike the word "just."

In the same line strike the words "debts and liabilities" and insert in lieu thereof the words "bonded and warrant indebtedness."

Line 3, same section, strike the word "Wenatchee" and insert the word "Chelan."

Strike the words "and as determined by said judge as aforesaid" in the engrossed bill in the same section.

Section 7, line 1, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Section 8, line 1, strike the word "Wenatchee" and insert "Chelan" in lieu thereof.

Section 9, line 3, strike the word "Wenatchee" occurring twice in said line and insert "Chelan" in lieu thereof.

Line 9, same section, strike the word "Wenatchee" and insert the word "Chelan."

Section 11, line 4, strike the word "Wenatchee" and insert the word "Chelan" in lieu thereof.

Section 13, line 1, strike "Wenatchee" and insert "Chelan."

Line 2, same section, strike the words "Snohomish and Kitsap," as appears in the engrossed bill, and insert in lieu thereof the words "Okanogan, Douglas, Lincoln, Ferry and Adams."

Section 14, line 2, strike the word "Wenatchee" and insert the word "Chelan."

Same section, line 3, strike the word "Wenatchee" and insert the word "Chelan."

Section 15, line 2, strike the word "Wenatchee" and insert the word "Chelan."

Same section, same line, strike the word "eleventh," as appears in the engrossed bill, and insert "first" in lieu thereof.

Section 16, line 1, strike the word "Wenatchee" and insert the word "Chelan."

Same section, line 4, strike the word "Wenatchee" and insert the word "Chelan."

Section 17, line 5, strike the word "Wenatchee," as appears twice in said line, and insert in lieu thereof the word "Chelan."

Same section, line 8, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Same section, line 11, strike the word "Wenatchee" and insert "Chelan."

Section 18, strike the word "Wenatchee," as appears in lines 3, 4 and 5, and insert in lieu thereof the word "Chelan."

Section 19, line 5, strike the word "Wenatchee" and insert the word "Chelan."

Section 20, strike the word "Wenatchee," appearing in lines 3, 4 and 7, and insert in lieu thereof the word "Chelan."

Section 22, line 2, strike the word "Wenatchee" and insert in lieu thereof the word "Chelan."

Line 2, same section, strike the word "eight" and insert the word "ten" in lieu thereof.

Amend title by striking the word "Wenatchee" and inserting the word "Chelan" in lieu thereof.

The motion prevailed.

The bill was placed on final passage and passed by the following vote: Yeas 18, nays 1, absent or not voting 15.

Those voting yea were: Senators Andrews, Baum, Davis, Hall, Hamilton, Hemrich, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Plummer, Preston, Schofield, Warburton, Wilshire, and Yeend—18.

Senator High voted nay.

Absent or not voting: Senators Baker, Biggs, Carper, Clapp, Cole, Crow, Hammer, Hill, LeCrone, Miller David, Paul, Reinhart, Runner, Van Patten, and Wooding—15.

Senate bill No. 174, An act regulating the appropriation of waters in this state for the purposes of irrigation, was read the third time.

Senator Yeend moved to add to the title the following :

“And giving the Commissioner of Irrigation and Arid Lands jurisdiction in all cases of controversy between appropriators and users of the waters from the streams and lakes of this state.”

The motion prevailed.

The bill was placed on final passage, and passed by the following vote: Yeas 20, nays 2, absent or not voting 12.

Those voting yea were: Senators Andrews, Biggs, Carper, Clapp, Davis, Hammer, Hemrich, High, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Runner, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 20.

Those voting nay were: Senators Baker and LeCrone — 2.

Absent or not voting: Senators Baum, Cole, Crow, Hall, Hamilton, Hill, Keith, Land, Plummer, Preston, Reinhart, and Wooding — 12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 113, An act to amend section 132 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890, as said section was amended by section 8 of an act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136, of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890, and approved March 9, 1893, was placed on final passage and passed by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Biggs, Clapp, Crow,

Hall, Hamilton, Hammer, Hemrich, High, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 26.

Nays none.

Absent or not voting: Senators Baker, Baum, Carper, Cole, Davis, Hill, Land, and Reinhart — 8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The following resolution was introduced by Senator Yeend:

WHEREAS, It will be an impossibility to get through the business now before the Senate: Therefore, be it

Resolved, That no Senator be permitted to speak more than once upon the same question, and not more than two minutes.

The resolution was adopted.

The following resolution was introduced by Senator Schofield:

WHEREAS, The House has refused to concur in the Senate amendments to House bill No. 452; and

WHEREAS, It is important that a conference committee be appointed at the earliest possible date, to the end that a special session of the legislature of this state to consider a general appropriation bill may be avoided: Therefore, be it

Resolved, That a conference committee be appointed by the president of the Senate to confer with a committee of the House on House bill No. 452.

The resolution was adopted.

The following resolution was read by the secretary:

WHEREAS, The secretary and assistant secretary, the minute and docket clerks, and the stenographers of this Senate, in order to faithfully perform their respective duties, have been compelled to work on an average of fourteen hours per day.

Be it resolved by the Senate, That said clerks be allowed compensation for one-fourth time extra, in consideration of said extra work, and that the secretary draw warrants to cover such amounts.

S. WARBURTON.

We concur: Thos. J. Miller, Cyrus F. Clapp, W. W. Wilshire, John McReavy, J. A. Davis, W. H. Plummer.

On motion of Senator Davis, the resolution was adopted.

Senators Hamilton, Preston and Plummer demanded a call of the Senate.

Senator Plummer moved to dispense with the further call of the Senate.

The motion prevailed.

Senator David Miller moved to suspend rule 28, which motion was lost.

On motion of Senator Plummer, the Senate adjourned at 11 o'clock P. M. till 10 o'clock A. M. to-morrow.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

SIXTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 9, 1899. }
10 o'clock A. M.

President Daniels called the Senate to order at 10 A. M., pursuant to adjournment.

The secretary called the roll, all members being present.

The reading of the journal of yesterday was, on motion of Senator Hamilton, dispensed with and the same approved.

Senator Crow moved that Senate bill No. 134 be stricken from the calendar and that House bill No. 236 be substituted in its place.

The motion prevailed.

On motion of Senator David Miller, House bill No. 489 was stricken from the calendar.

On motion of Senator Andrews, Senate Memorial No. 7 was stricken from the calendar.

On motion of Senator Preston, Senate bill No. 181 was placed on the botton of the first page of the calendar.

On motion of Senator Cole, the Senate refused to recede from its amendments to House bill No. 24.

On motion of Senator Megler, the Senate receded from its amendments to House bill No. 379.

Senator Plummer moved that the rules be suspended and the vote by which House bill No. 179, relating to the fees of the Secretary of State, failed to pass, be reconsidered.

The motion was lost.

The following messages were received from the House:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 191, entitled "An act to prevent the spread of tuberculosis, and to promote the general health and for other purposes."

Also, Senate bill No. 236, entitled "An act relating to the filing and recording of mixed chattel and real estate mortgages in the State of Washington and curative provisions relative thereto."

Also, Senate bill No. 206, entitled "An act to enlarge and define the powers of unclassified cities within the State of Washington incorporated by special charter prior to the adoption of the state constitution."

Also, Senate bill No. 71, entitled "An act providing for the payment of various claims against the State of Washington."

Also, House bill No. 496, entitled "An act amending section 138 of volume 2 of Hill's Annotated Statutes and Codes of Washington relating to actions for injuries causing death."

Also, House bill No. 533, entitled "An act authorizing cities and towns to construct sewers and drains."

Also, House bill No. 346, entitled "An act relating to fish commissioner and employment of deputies and amending sections 2570 and 2573, volume 1, Hill's Annotated Codes and Statutes of Washington."

The speaker of the House has signed House bill No. 382, entitled "An act to regulate mutual fire insurance companies and associations."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above House bill No. 382.

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House has concurred in the amendments to House bill No. 195 made by the honorable Senate.

W. F. DILLON, Chief Clerk.

House bill No. 151, by Mr. Conway, An act to amend sections 48 and 50 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, etc.," was read the third by sections and placed on its final passage and passed by the following vote: Yeas 30, nays none, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Davis, Hall, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Scho-

field, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 30.

Nays: None.

Absent or not voting: Senators Biggs, Crow, Hamilton, and Preston — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The president called Senator Mantz to the chair.

House bill No. 331, by Mr. Englehart, Providing for the dissolution of irrigation districts and the liquidation of their indebtedness, and declaring an emergency, was read the third time and placed on final passage and passed by the following vote: Yeas 34, nays 0, absent or not voting 0.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 34.

Nays: None.

Absent or not voting: None.

There being no objections, the title of the bill was ordered to stand as the title of the act.

House bill No. 25, by Mr. Somerindyke, An act to amend section 33 of an act entitled "An act to provide for the establishment and creation of drainage districts, and the construction and maintenance of a system of drainage," was read the third time and was placed on final passage, and failed to pass by the following vote: Yeas 2, nays 11, absent or not voting 21.

Those voting yea were: Senators Andrews and Clapp — 2.

Those voting nay were: Senators Baum, Davis, Hammer, Hill, Keith, LeCrone, McReavy, Paul, Preston, Reinhart, and Runner — 11.

Absent or not voting: Senators Baker, Biggs, Carper, Cole, Crow, Hall, Hamilton, Hemrich, High, Land, Mantz, Megler, Miller David, Miller T. J., Plummer, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend — 21.

House bill No. 193, A bill for an act to provide for the adoption and use of school text-books in all school districts including or included within cities and towns maintaining high schools,

and supplying free to their pupils text-books and supplies, was read the third time and placed on final passage and passed by the following vote: Yeas 19, nays 10, absent or not voting 5.

Those voting yea were: Senators Baker, Baum, Biggs, Clapp, Crow, Hamilton, Hemrich, Keith, LeCrone, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Warburton, and Wilshire—19.

Those voting nay were: Senators Carper, Cole, Davis, Hall, High, Hill, Mantz, McReavy, Runner, and Yeend—10.

Absent or not voting: Senators Andrews, Hammer, Land, Van Patten, and Wooding—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill immediately transmitted to the House.

House bill No. 332, An act to provide for the state printing and binding, fixing the methods and rules to govern the same, etc., was read the third time and amended as follows: Insert in line 10, section 3, after the word "necessary" "*Provided*, that all printed matter furnished to the State of Washington, including reports of state officers and commissioners, session laws, journals of the House and Senate, pamphlets, etc., shall have printed thereon the label of the International Typographical Union, if there is a branch of such union in the city or town where the printing is done, and all advertisements for such bids for the above printing shall contain this provision."

The bill was placed on final passage and passed by the following vote: Yeas 26, nays 4, absent or not voting 4.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hemrich, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend—26.

Those voting nay were: Senators Cole, Hill, Land, and Warburton—4.

Absent or not voting: Senators Andrews, Hammer, High, and Preston—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill transmitted immediately to the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 101, entitled "An act relating to drugs and medicines, the licensing of persons to compound, dispense, buy and sell the same in the State of Washington, etc.," with amendments.

Also, Senate bill No. 5, entitled "An act providing for the constitutional amendment conferring power upon the legislature to exempt certain property from taxation," on a reconsideration of the vote by which this bill failed to pass.

Also, Senate bill No. 182, entitled "An act providing for the repair of the Snoqualmie pass wagon road, and appropriating funds therefor."

Also, Senate bill No. 72, entitled "An act making appropriation for the maintenance of grain inspection, and declaring an emergency," with amendments.

Also, Senate bill No. 133, entitled "An act to prevent the removal of fixtures or permanent improvements from real estate which is subject to mortgage or other liens," etc.

Also, Senate bill No. 138, entitled "An act for the relief of O. M. Hidden."

Also, Senate bill No. 142, entitled "An act for the relief of Horatio Alling, chief clerk in the office of the Secretary of State," etc.

Also, Senate bill No. 100, entitled "An act to adopt Ballinger's Annotated Statutes and Codes of Washington as an official compilation, and declaring an emergency," with amendments.

Also, Senate bill No. 124, entitled "An act to establish the validity of the organization of municipal corporations incorporated under existing laws of the state, and declaring an emergency," with amendments.

Also, Senate bill No. 231, entitled "An act limiting the time in which appeals from the Board of State Land Commissioners to the Superior Court shall be prosecuted."

Also, Senate bill No. 207, entitled "An act providing for the auditing and allowance for all state and county officers, and providing for penalties for the violation thereof."

Also, House bill No. 398, entitled "An act for the protection and propagation of game and food fishes."

Also, House bill No. 535, entitled "An act providing for the honorable interment of bodies of Washington Volunteers returned by the government of the United States, making an appropriation therefor, and declaring an emergency."

And the same are herewith transmitted.

The House has refused to adopt that portion of the report of the joint committee to secure bids for offices for state officials at the seat of government, which reads as follows: "And that a nightwatchman, at a salary not exceeding six hundred dollars per annum, be employed by the state to watch over said building."

The House has defeated Senate bill No. 5, entitled "An act providing for the constitutional amendment conferring power upon the Legislature to exempt certain property from taxation."

Also, Senate bill No. 22, entitled "An act to establish the legal rate of interest in the State of Washington," etc.

Also, Senate bill No. 178 entitled "An act requiring horseshoers to pass civil service examination."

The House has appointed as members of the Free Conference Committee on House bill No. 452, Mr. Englehardt, Mr. Carpenter and Mr. Kingsbury.

The House has refused to concur in the Senate amendment to House bill No. 332.

The House has indefinitely postponed Senate bills Nos. 218 and 238.

The House has defeated Senate bills No. 150.

W. F. DILLON, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 174, entitled "An act regulating the appropriation of the waters of this state for purposes of irrigation," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: Harold Preston.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 210, entitled "An act providing for making definite and certain the boundaries of incorporated towns or cities of the fourth class, the boundaries of which are indefinite or uncertain, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: Harold Preston.

OLYMPIA, March 13, 1899.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 18, entitled "An act providing for an amendment to the constitution of the State of Washington, exempting personal property from taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

HAROLD PRESTON, Chairman.

I concur in this report: Paul Land, Oliver Hall, J. G. Megler, Joseph Hill, David Miller, W. E. Runner.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, respectfully recommend that the judiciary clerk and each of the official stenographers of

this Senate be allowed \$10 typewriter rent, for the use of the typewriters they have furnished during this session.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: W. H. Plummer, J. A. Davis, S. Warburton, A. Hemrich.

The report was adopted.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred the bill of Olympia Hardware Company, for supplies furnished, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be allowed in full.

Respectfully submitted.

E. C. KEITH, Chairman.

We concur in this report: J. A. Davis, A. Hemrich, W. H. Plummer.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 157, entitled "An act to provide for voting on a constitutional amendment at the next general election, to be held in November, 1900, relative to the ownership of lands by aliens," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

HAROLD PRESTON.

We concur in this report: W. E. Runner, David Miller, Oliver Hall.

The report was adopted.

OLYMPIA, February 15, 1899.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to which was referred House bill No. 319, substitute for Senate bill No. 99, entitled "An act for expediting the completion of the State Capitol Building, etc.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended.

Respectfully submitted.

ED. S. HAMILTON, Chairman.

We concur in this report: J. A. Cole, Thos. J. Miller, John McReavy.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred House bill No. 305, entitled "An act to amend sec. 5 of an act to provide for the establishment and creation of dike districts and the construction thereof," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. HAMMER, Chairman.

I concur in this report: John McReavy.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 5, entitled "An act providing for the

constitutional amendment conferring power upon the legislature to exempt certain property from taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same be indefinitely postponed.

Respectfully submitted.

HAROLD PRESTON, Chairman.

We concur in this report: Paul Land, Oliver Hall, J. G. Megler, Joseph Hill, David Miller, W. E. Runner.

OLYMPIA, February 28, 1899.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 322, entitled "An act making application to the Congress of the United States of America to call a convention for proposing amendments to the Constitution of the United States of America, as authorized by article V of the Constitution of the United States of America," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the same do pass.

Respectfully submitted.

W. H. PLUMMER, Chairman.

We concur in this report: S. Warburton, John I. Yeend, F. M. Baum, C. A. Mantz, John H. Carper.

I recommend that the bill be placed on general file: Herman D. Crow.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage to whom was referred House bill No. 147, entitled "An act to provide for laying out and establishing private ditches and drains have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

E. HAMMER, Chairman.

I concur in this report: John McReavy.

OLYMPIA, March 2, 1899.

MR. PRESIDENT:

We, your Committee on Agriculture to whom was referred House bill No. 431, entitled "An act to amend sections 4, 12 and 14, chapter 109, page 308, Session Laws of 1897, of 'An act to promote and protect the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of horticulture, to repeal certain laws to conflict therewith,' approved March 17, 1897, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows: Sec. 1, engrossed bill, after words "per diem of" strike "not less than two nor more than three dollars" and insert in lieu thereof "two dollars and fifty cents."

Sec. 2, after words "within five days," engrossed bill, strike "or as soon as reasonably possible," insert in lieu "unless further time is granted by the inspector."

Sec. 3, after words "within five days," engrossed bill, strike, "or as

soon as reasonably possible," insert in lieu "unless further time is granted by the inspector."

And as so amended the bill do pass.

Respectfully submitted.

OLIVER HALL, Chairman.

We concur in this report: J. C. Van Patten, G. H. Baker, Joseph Hill, Augustus High.

The report was adopted.

OLYMPIA, March 3, 1899.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to which was referred Senate bill No. 251, entitled "An act fixing the salary of the warden of the State Penitentiary, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the words "A bill for an act to be entitled" be stricken from the title. Also, that the quotation marks before the word "an" and after the word "emergency," in the title, be stricken.

That section 2 be stricken.

And that as so amended the bill be placed on general file.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report: Paul Land, Herman D. Crow, Daniel Paul.

The report was adopted.

OLYMPIA, February 27, 1899.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to which was referred House bill No. 197, entitled "An act to amend section 1 of an act entitled 'An act in relation to legal holidays,' approved February 25, 1891," have had the same under consideration, and we respectfully report it back to the Senate, with the recommendation that the word "of" be inserted before the word "January" in the seventh line of the engrossed bill, the same as it appears in line 3, section 1, of the printed bill, and that all of section 1, after the word "holiday," in line 11 of the printed bill, be stricken.

Respectfully submitted.

PAUL LAND, Chairman.

We concur in this report: E. Hammer, Thos. J. Miller, S. Warburton.

OLYMPIA, February 6, 1899.

MR. PRESIDENT:

We, your Committee on Penal and Reformatory Institutions, to whom was referred Senate bill No. 108, entitled "An act for the reformation of criminals, and providing for employment of those leaving the prisons of the State of Washington, and the granting of paroles to prisoners," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, and that the substitute therefor herewith submitted do pass.

Respectfully submitted.

JOHN I. YEEND, Chairman.

We concur in this report: Herman D. Crow, S. Warburton, Dan. Paul, Paul Land.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your committee, appointed to receive and consider proposals for the rental of offices for the state officers, would respectfully recommend that the McKenny building, situated on the corner of Fourth and Main streets in the city of Olympia, be rented for such purposes for the two years beginning August 1, 1899, and ending August 1, 1901; and we would further recommend that the Governor and Attorney General be authorized to enter into a contract with T. I. McKenny, the owner thereof, on the basis of and in accordance with the hereto annexed proposal; we would further recommend that the ground floor rooms be used by the state for library rooms, and that a night watchman, at a salary not exceeding six hundred dollars per annum, be employed by the state to watch over said building.

C. C. GOSE,
JESSE A. FRYE,
JAMES CONWAY,
On part of House.
PAUL LAND,
J. A. COLE,
On part of Senate.

To the Senators and Representatives of the State of Washington:

GENTLEMEN — I have the honor herewith to submit a proposition to lease to the State of Washington for two years, from August 1st, 1899, with the privilege of four years, the whole of my four-story building, situated on the corner of Main and Fourth streets, Olympia, Washington, except the room on the northwest corner now occupied by the Northern Pacific Express Company.

Said building is four stories high, built of wood, brick stone and steel, and practically fire-proof.

Said building contains forty-one (41) offices and rooms, now occupied as state offices, covering an area of twenty-one thousand superficial feet, and, in addition, the two store-rooms fronting on Main street, one now occupied as a drug store and office and the other as a drygoods store, and containing an additional area of forty-eight hundred feet, said room occupied as a drug store having a large and commodious vault, formerly occupied by the National bank.

This building is fitted throughout with all modern improvements for the safety and convenience of the occupants, and consists of the following:

One first-class passenger elevator.

One forty-horse-power boiler, pumps and tanks, for running elevator and heating building.

Thoroughly piped for gas and water, and wired for electric lights; also piped for speaking-tubes.

Fifty-six (56) steam radiators for heating building; also arranged for stoves, if at any time necessary.

Seventy-two (72) chandeliers, with one hundred and ninety-seven (197) electric light sockets and one hundred and eighty-six (186) gas jets.

Twelve water closets for ladies and gentlemen; also urinals; sewerage perfect.

Twenty (20) marble basins and sinks for water.

Five (5) absolutely complete fire-proof vaults for the safe keeping of valuable state records, and the only suitable ones at present in the city: One for the State Auditor, one for the Secretary of State, one for the State Land Commissioner, one for the Supreme Court, one large one in the room now occupied as a drug store and formerly occupied by the Capital National Bank.

Hose and reels on the three upper floors for the protection against fires; said hose is connected direct with water main by a separate 2½-inch pipe, with over one hundred (100) pounds pressure to the square inch.

I propose to lease to the state the above offices and rooms enumerated, together with all the appliances, including water, toilet closet paper, electric lights in the number of two hundred and twenty (220) sixteen-candle-power bulbs (chandelier or drop lights, as desired), or more if required; heating by steam until 10 o'clock P. M., including legal holidays and Sundays, excepting time for repairs and cleaning machinery; elevator service, including elevator boy, said elevator to be run between the hours of 8 o'clock A. M. and 6 o'clock P. M., and during the sessions of the Legislature until 10 o'clock P. M., Sundays and legal holidays excepted; also janitor service, for the sum of eight hundred and fifty dollars (\$850.00) per month, payable monthly.

If required, I will cut an arch between the two ground-floor rooms of satisfactory width. I have the honor to be

Very truly your obedient servant,

T. I. MCKENNY.

The report was adopted,

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, a number of your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 17, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1900, relative to taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that a majority of your committee are opposed to the passage of the bill, but do recommend that the bill be placed on general file.

Respectfully submitted.

HAROLD PRESTON, Chairman.

We concur in this report: W. E. Runner, J. G. Megler.

OLYMPIA, February 13, 1899.

MR. PRESIDENT:

We, a minority of your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 17, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1900, relative to taxation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation of the minority of said committee that the bill be amended as follows:

Section 1, line 14, printed bill, strike out the word "a" before the words "general law."

Section 1, line 14, strike out the word "private."

Strike from lines 14 and 15 the words "head of a family" and insert in lieu thereof the word "householder."

Strike from sec. 2, line 5, the word "such."

And further recommend that the bill as amended pass.

JOSEPH HILL.

OLIVER HALL.

DAVID MILLER.

The undersigned, a minority of the Senate Committee on Constitution and Constitutional Revision, recommend the following amendment to the foregoing minority report, to-wit: Strike out from the end of section 1 the word "householder" and insert the following words, to-wit, "each person liable to assessment and taxation under the laws of this

state of which such person is the actual and bona fide owner," and recommend that with this amendment the foregoing minority report be adopted.

JOSEPH HILL.

The following members of said committee report further as follows: That the bill as reported by the first foregoing minority report should be amended by striking therefrom the last proviso and inserting in place thereof the following: "*Provided still further*, That the Legislature may by general law exempt from taxation the personal property of each householder or any amount thereof."

W. E. RUNNER.

PAUL LAND.

OLYMPIA, March 4, 1899.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 324, entitled "An act to amend sections 11, 12, 33 and 36, and to repeal sections 8, 9 and 10 of an act entitled 'An act providing for the establishment of a system of improved roads in counties, and providing for the manner of laying out, constructing and maintaining the same,' approved March 15, 1893, the same being chapter 123 of the laws of 1893," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be placed on general file.

Respectfully submitted.

JOSEPH HILL, Chairman.

We concur in this report: J. G. Megler, Augustus High, John Wooding, C. A. Mantz.

The report was adopted.

OLYMPIA, March 6, 1899.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred House bill No. 335, entitled "An act to amend section 12 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency,' " have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendment:

Amend section 1, line 47, by inserting the word "of" before the word "swear" and after the word "attendance."

Respectfully submitted.

J. A. DAVIS, Chairman.

We concur in this report: John H. Carper, J. G. Megler, L. B. Andrews, David Miller, J. C. Van Patten, Ed. S. Hamilton.

The report was adopted.

The president resumed the chair.

On motion of Senator Baum, the Senate resolved itself into Committee of the Whole for the consideration of House bills Nos. 519, 470 and 347, Senator T. J. Miller in the chair.

The committee arose and recommended that House bill No. 519 do pass; that House bill No. 470 do pass as amended, and that House bill No. 347 take its place on the calendar.

On motion of Senator Baum, the report was adopted.

On motion of Senator High, at 12:20 P. M. the Senate took a recess until 2 P. M.

AFTERNOON SESSION.

President Daniels called the Senate to order at 2 P. M.

The secretary called the roll, all members being present.

The secretary read the following veto message from the Governor, and also Senate bill No. 222, relating to a capitol commission :

VETO MESSAGE ON SENATE BILL NO. 222.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 8, 1899.

To the Honorable the Senate of the State of Washington, Senate Chamber, Olympia, Wash.:

GENTLEMEN—I herewith return, without my approval, Senate bill No. 222, entitled “An act amending sections 1 and 3 of ‘An act to provide for the location and erection of a capitol building, and providing an appropriation therefor and declaring an emergency,’ approved March 21, 1893.”

Under the American system of government three co-ordinate departments are created—legislative, executive and judicial—each supreme within certain constitutional limits. Under constitutional provisions similar to ours it has become fixed as a settled principle that no one of these departments of government can override or destroy the power and functions of the others. But Senate bill No. 222 attempts to do this by taking from the Governor his constitutional power of appointment and removal. The bill is therefore unconstitutional and void, and if enacted into law will furnish a precedent which may return to plague its inventors. To establish this a long line of authorities may be cited. I desire simply at this time, however, to call attention to a plain fact instantly apparent to careful observers wherever found.

In carefully examining this bill I am irresistibly impelled to the conclusion that the Legislature of the State of Washington has, through inadvertance, allowed itself to be placed in a position it had not deliberately intended to occupy. The bill under discussion is simply an amend-

ment to the law of 1893, which as modified by the subsequent act of 1895 and as further modified by this bill, should it become a law, will create a commission having the power to bind the State of Washington. The act of 1895 appropriated from a mythical fund the sum of \$930,000 which with some \$70,000 previously expended, makes a round million of dollars which the board this bill attempts to create will be empowered to expend. The board created by this bill will be entirely competent to create great debts, but it is entirely incompetent and absolutely unable to liquidate any portion of the same except by issuance of warrants or other evidences of debt. Its power in this direction is only limited by the exhaustion of the appropriation before mentioned. The board which is by this bill created will be able to let a contract for the construction of the million dollar building contemplated by the act of 1893 and thus involve the credit of the state. So far no contract has been made in conformity to the law, it being specifically provided by section 4 of the act of 1893 that until a certified contract had been issued to the contractor marked "approved" by the secretary of the capitol commission that no liability shall be incurred and no contract, unless made in this express manner, shall be valid or binding on either party. This proposed commission will be able to issue warrants upon a fund which it has no power to create and which the Legislature has never taken any steps toward creating by naming a mode of procedure by means of which money could be obtained with which to endow it, and without endowment it is not an existing fund. These warrants, although drawn upon a mock fund having no actual existence, could in considerable numbers probably be sold if a sufficient discount be made, from and by reason of the fact that every one conversant with these matters recognizes the further fact that the moral responsibility of the people through act of the Legislature having been invoked a moral liability as surely follows, and with the people of this state a moral liability will be as effective as a legal one. No doubt under the circumstances detailed fifty or a hundred thousand dollars in "Capitol fund warrants" could be added to the \$95,374.73 already in the hands of parties who even now are vainly writing the State Treasurer asking when the Capitol building fund warrants will be "called."

Meantime a contract might be made by the proposed board and a contractor acquire vested rights. These, under the Laws of 1895, he is invited to test in the court of Thurston county, the only county [court] in the state empowered to take cognizance of his claim.

No doubt exists in the mind of any member regarding the plans of of those who are so urgently and even hysterically asking for the passage of this bill. Under the Laws of 1893, the Capitol Commission was made to consist of the Governor, the State Auditor and three qualified electors of the state, "who shall not be citizens of Olympia." As modified by the bill under discussion, the commission is made to consist of three persons, two of whom are citizens of Olympia, and is expressly therein provided that two may organize the board and form a quorum, and are thus empowered to transact business involving the credit and good name of the State of Washington.

Considering that the bill under discussion is simply an attempt to amend the Law of 1893, I wish to call attention to the crude condition and bad character of the law as thus amended. Section 3, article 8 of our state constitution provides:

"No debts shall hereafter be contracted by, or on behalf of this state, unless such debts shall be authorized by law for some single work or object, to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the contracting thereof."

This provision of the constitution is by this act ignored, no provision having been made for the final payment of either principal or interest of the debt, which it is proposed to create.

Section 4, article 8, of the constitution provides:

"No moneys shall be paid out of the treasury of this state or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within two years from the first of May next, after the passage of such appropriation act."

Referring to this provision of the constitution it may be held that the law does not contemplate—and I presume this to be the fact—the payment out of the treasury or any of the funds under its control, of any moneys whatever, since no moneys have ever come into, or, it would seem, are likely to come into the fund under its management.

It may also be held, in view of the foregoing, that the time limit set does not in this instance apply. I suggest, however, that the proposed law is for reasons given a dangerous one.

As further showing the bad character of the proposed statute, I desire to call attention to section 13 of the Law of 1893, which in substance provides that the proposed capitol shall be completed by January, 1899. It being always understood that the law does not attempt to compel impossibilities, it might be held that the legislature being informed regarding this provision of law, unquestionably intended the act to apply to the future. I respectfully submit, in view of these things, that the proposed law is not only bad in character, but dangerous to the public weal.

At any time during the last ten years, the people of Olympia who are chiefly interested in the passage of the bill, could have settled the capitol question and secured the erection of a state capitol by submitting a proposition which would not call for more than a quarter of a million of dollars to finally complete and finish. This sum is amply sufficient for all necessary state needs. Against such a proposition no opposition in any quarter would have been encountered. The constant attempt, however, has been to involve the state in an expenditure of millions, including interest payments. Against this scheme, in view of the constant and heavy drafts made upon our taxpayers, I am convinced the legislature should stand like a rock of defense.

In this connection, too, it may be said that any appropriation made for a building upon the very large and purposely extravagant foundation already constructed would undoubtedly lead by successive appropriations of future legislatures to the final construction of the originally

planned, very expensive and unnecessarily extravagant building to which probably nine-tenths of the rate payers of this state are opposed.

Viewing this matter in the light of a just public policy, I feel it a sacred duty which I owe my constituents throughout this state notwithstanding the storm of local obloquy and abuse, to resolutely and unqualifiedly oppose it in a constitutional manner. It is sure to lead, if made a law, eventually and finally, when the inevitable payment of immense sums of interest are taken into the account, to not less than two millions of dollars or double the original undertaking. There is in this no question of sympathy or sentiment or politics. It is a plain matter of business. The bill is vetoed.

Respectfully submitted.

J. R. ROGERS, Governor.

The roll was called on the question, "Shall the bill pass, notwithstanding the veto of the Governor?" which resulted as follows: Yeas 9, nays 23, absent or not voting 2.

Those voting yea were: Senators Baker, Davis, Hill, Megler, Miller David, Miller T. J., Plummer, Warburton, and Yeend—9.

Those voting nay were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Land, LeCrone, Mantz, McReavy, Paul, Preston, Reinhart, Runner, Van Patten, Wilshire, and Wooding—23.

Absent or not voting: Senators Keith, and Schofield.

Senator David Miller moved that the rules be suspended and that Senate bill No. 251 be placed on final passage.

The motion was lost.

The president appointed Senators High, Biggs, and Runner as a conference committee in regard to House bill No. 452, An act relating to appropriations, etc.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The Speaker of the House has signed House bill No. 470, entitled "An act for the relief of certain persons and companies who furnished supplies to and performed services for the State of Washington in connection with the mobilization of the First Regiment of Washington volunteers at Camp Rogers in May, 1898."

Also, House bill No. 501, entitled "An act providing for the reappraisal of lands at and in front of the cities of New Whatcom and Fairhaven, Whatcom county, Washington."

Also, House bill No. 305, entitled "An act to amend section five of an act entitled an act to provide for the establishment and creation of dike districts," etc.

Also, House bill No. 363, entitled "An act to punish the injury or destruction of property and records upon public lands."

Also, House bill No. 195, entitled "An act to provide against the adulteration of food."

Also, House bill No. 413, entitled "An act to create the county of Chelan, subject to the requirements of the state constitution and statutes in respect to the establishment of new counties."

Also, House bill No. 519, entitled "An act providing for the payment of certain delinquent and accruing interest, making an investment of the permanent school fund, making an appropriation therefor and declaring an emergency."

And the same are herewith transmitted to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above entitled bills.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 72, entitled "An act making an appropriation for the maintenance of grain inspection, and declaring an emergency."

Also, Senate bill No. 230, entitled "An act empowering the Board of State Land Commissioners to relinquish to the United States selected lands to which the title of the state has failed or shall fail, and declaring an emergency."

Also, Senate bill No. 138, entitled "An act for the relief of O. M. Hidden."

Also, Senate bill No. 5, entitled "An act providing for the constitutional amendment, conferring power upon the Legislature to exempt certain property from taxation."

Also, House bill No. 296, entitled "An act to amend sections 2, 3, 12, 13 and 15 of an act entitled 'An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county commissioners with authority to appoint game wardens, defining their duties, fixing their compensation, and defining the duties of certain county, precinct and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington,' approved March 11, 1897."

And the same transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk of the House.

The president signed the above House bill.

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 160, entitled "An act to protect sturgeon and to regulate the time and manner of fishing for sturgeon in the waters of the Columbia river," etc., with amendments, and the same is herewith transmitted.

The House has concurred in the Senate amendments to House bill No. 296.

The House has indefinitely postponed Senate bill No. 66.

The House has passed Senate bill No. 251, entitled "An act fixing the salary of the warden of the State Penitentiary, and declaring an emergency," with the following amendment: Strike out the emergency clause.

Also, Senate bill No. 178, entitled "An act requiring horseshoers to pass civil service examination," with amendments.

Also, Senate bill No. 93, entitled "An act changing the name of Hangman's Creek, in Spokane county, to Latah Creek.

Also, Senate bill No. 22, entitled "An act to establish the legal rate of interest in the State of Washington, to prevent usury, etc.," with amendments.

Also, Senate bill No. 210, entitled "An act providing for making definite and certain the boundaries of incorporated towns or cities of the fourth class, the boundaries of which are indefinite or uncertain."

The House has defeated Senate bill No. 98, entitled "An act to provide for the incorporation and to regulate the business of co-operative mining companies."

The House has passed Senate bill No. 141, entitled "An act to amend section 16 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, etc.,'" with amendments.

Also, Senate bill No. 253, entitled "An act appropriating the sum of two thousand dollars, or so much thereof as shall be necessary, for Legislative expenses."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

Mr. Speaker has signed Senate bill No. 178.

Also, House bill No. 324.

Also, House bill No. 304.

Also, House bill No. 147.

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The president signed the above House bills.

On motion of Senator Plummer, the Senate receded from Senate amendments to House bill No. 332, "An act to provide for the state printing and binding, fixing the methods and rules to govern the same; creating commissioners of public printing and a state printing expert; also repealing the following acts: An act entitled, 'An act to provide for the state printing and binding, fixing the compensation of the State Printer,' etc., approved February 19, 1890; also an act entitled, 'An act to

create the office of State Printer, to provide for the election,' etc., approved February 19, 1890; also an act entitled, 'An act to amend sections 1 and 5 of an act to provide for the state printing and binding,' etc., approved March 9, 1893; also sections 3, 4, and 5 of an act entitled, 'An act providing for uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state,' approved March 6, 1897, by the following vote: Yeas 21, nays 7, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Hall, Hammer, Hemrich, Hill, McReavy, Megler, Miller David, Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Wooding—21.

Those voting nay were: Senators Carper, Hamilton, Keith, Land, Mantz, Miller T. J., and Yeend—7.

Absent or not voting: Senators Cole, Crow, Davis, High, LeCrone, and Warburton—6.

SENATE CHAMBER.

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

We, your Committee on Senate Employees other than Regular, having been informed that the Committee on Enrolled Bills are in need of six more clerks, and having been informed that all of the clerks of the Senate that are qualified to do work on such committee have been assigned to do duty on said committee, do recommend that the following persons be chosen as clerks upon said Committee of Enrolled Bills, to-wit: Miss Scully, Miss Macleay, Miss Thompson, Mrs. Barbee, Mrs. Daisy Ross, and Miss Belle Knox.

Respectfully submitted.

C. A. MANTZ, Chairman.

We concur in this report: Geo. H. Baker, Oliver Hall, W. H. Plummer, Paul Land.

The report was adopted.

The House amendments to Senate bill No. 72 were concurred in by the following vote: Yeas 22, nays 2, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Hall, Hammer, Hemrich, Hill, Mantz, McReavy, Megler, Miller David, Plummer, Preston, Reinhart, Runner, Van Patten, Wilshire, Wooding, and Yeend—22.

Those voting nay were: Senators Davis and Keith—2.

Absent or not voting: Senators Cole, Crow, Hamilton, High, Land, LeCrone, Miller T. J., Paul, Schofield, and Warburton—10.

On motion of Senator Runner, House bill No. 262 was placed on the foot of the first page of the calendar.

House bill No. 296 (substitute for House bills Nos. 133 and 253), by Committee on Game and Game Fish, was read the third time and amended by striking the last proviso in section 5, and was placed on final passage and passed by the following vote: Yeas 26, nays 3, absent or not voting 5.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Clapp, Davis, Hall, Hamilton, Hammer, High, Keith, LeCrone, Mantz, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—26.

Those voting nay were: Senators Hemrich, Land, and McReavy—3.

Absent or not voting: Senators Andrews, Cole, Crow, Hill, and Runner—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill transmitted immediately to the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 440, entitled "An act to provide for the official measurement of all milk cans or other vessels used in the shipping and sale of milk, sealing and stamping the capacity thereon, and fixing a penalty for using unsealed milk cans or vessels."

Also, House bill No. 380, entitled "An act for the protection of game animals and birds, song birds, and game fish, creating the office of State Game Warden, and defining duties and imposing additional duties on county game wardens."

Also, House bill No. 417, entitled "An act relating to justices of the peace and constables in cities of the first class, and fixing their number and salaries, and providing for making one of the justices elected in such cities a police justice, and defining his duties, jurisdiction and powers."

Also, House bill No. 316, entitled "An act appropriating the sum of \$400.00, or so much thereof as may be necessary, for the construction of a fish-way in the Skokomish river, Mason county."

Also, House bill No. 279, entitled "An act for the relief of Captain Ed. E. Hardin, and making an appropriation."

Also, House bill No. 243, entitled "An act amending section 1 of an

act entitled 'An act relating to beds of natural oysters, and declaring an emergency,' approved March 7, 1895, being section 3375 of Ballinger's Annotated Codes and Statutes of Washington."

Also, House bill No. 161, entitled "An act providing for conducting the Agricultural Experiment Station heretofore established at Puyallup, Washington."

Also, House bill No. 314, entitled "An act for the relief of Captain Harry St. George."

Also, House bill No. 248, entitled "An act relating to revenues and taxes on real property which became delinquent during the year 1897, and all years prior thereto, remitting all penalties and interest thereon if paid on or prior to the 1st day of November, 1899, and declaring an emergency."

Also, House bill No. 424, entitled "An act to establish the number of hours to constitute a day's work on all state, county and municipal construction, or such work done by contract or sub-contract, and providing penalties for its violation."

Also, House bill No. 393, entitled "An act amending section 6 of an act entitled 'An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency,' approved March 17, 1897."

Also, House bill No. 300, entitled "An act for the relief of Mrs. J. H. Stahl, R. A. Koontz, and the Vancouver Auditorium Association, and appropriating money therefor."

Also, House bill No. 100, entitled "An act authorizing municipal corporations to provide for the acceptance of warrants upon local improvement funds in satisfaction of assessments for local improvements."

Also, House bill No. 488, entitled "An act to encourage and protect the culture of deep water oysters in the State of Washington, and declaring an emergency."

Also, House bill No. 438, entitled "An act providing for the construction of fish hatcheries, and making appropriation therefor."

Also, House bill No. 38, entitled "An act to amend section 51, chapter 89, laws of 1897, being an act relating to public lands of the state, approved March 16, 1897."

Also, House bill No. 423, entitled "An act authorizing cities of the first class to levy and collect assessments upon property benefitted by local improvements, and declaring an emergency."

Also, House bill No. 462, entitled "An act relating to the sale of allotted lands by Indians."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above entitled bills.

House bill No. 519, by Committee on State University, An act providing for the payment of certain delinquent and accruing interest, was read the third time, placed on final passage, and passed by the following vote: Yeas 29, nays 0, absent or not voting 5.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Hall, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Baker, Cole, Crow, Davis, and Runner — 5.

The emergency clause passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Baker, Cole, Crow, Hill, LeCrone, Megler, and Preston — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

The president appointed Mrs. Barr clerk of the Conference Committee on House bill No. 452, relating to appropriations, etc.

On motion of Senator David Miller, the rules were suspended and Senate bill No. 251, An act fixing the salary of the warden of the State Penitentiary, was read the third time.

On motion of Senator Yeend, the title was amended to read as follows: "An act fixing the salary of the warden of the State Penitentiary, and declaring an emergency."

On motion of Senator David Miller, the following was substituted for section 1:

SECTION 1. The board having control and supervision of the State Penitentiary is authorized hereafter to fix and determine the salary of the warden of the State Penitentiary, and such salary shall be fixed with a view of equalizing the same with the salaries paid in this state to the superintendents of other institutions having equal responsible duties to perform: *Provided*, That said salary shall not be more than eighteen hundred dollars per year.

On motion of Senator David Miller, the bill was referred to the Engrossing Committee.

House bill No. 472, by Committee on Education, An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, amending sections 6, 10, 11, 22, 30, etc., was read the third time.

On motion of Senator Baum, section 21, line 12, was amended by striking "public" and inserting "state" in lieu thereof.

The bill was then placed on final passage and passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, and Wilshire — 29.

Senator Baker voted nay.

Absent or not voting: Senators Hill, Miller David, Wooding, and Yeend — 4.

The emergency clause passed by the following vote: Yeas 29, nays 1, absent or not voting 4.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, and Wilshire — 29.

Senator Baker voted nay.

Absent or not voting: Senators Hill, Miller David, Wooding, and Yeend — 4.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

Senator Plummer moved that the Senate concur in House amendments to Senate bill No. 100.

The roll was called and the same were concurred in by the following vote: Yeas 21, nays 0, absent or not voting 13.

Those voting yea were: Senators Andrews, Biggs, Carper, Clapp, Crow, Hall, Hamilton, Hammer, Keith, LeCrone, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 21.

Nays: None.

Absent or not voting: Senators Baker, Baum, Cole, Davis,

Hemrich, High, Hill, Land, Mantz, Miller David, Reinhart, Runner, and Wooding — 13.

On concurrence to House amendments to Senate bill No. 160, the motion carried by the following vote: Yeas 24, nays 1, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Crow, Hammer, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Wilshire, and Wooding — 24.

Senator Yeend voted nay.

Absent or not voting: Senators Cole, Davis, Hall, Hamilton, Hemrich, High, Land, Miller David, and Warburton — 9.

The House amendments to Senate bill No. 141 were concurred in by the following vote: Yeas 30, nays none, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Kieth, Land, Lecrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—30

Absent or not voting: Senators Carper, Davis, High, and Miller David.

The president appointed Senators Hill, McReavy and Davis a conference committee on Senate bill 83.

The House amendments to Senate bill No. 124 were concurred in by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, McReavy, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire, and Wooding—26.

Absent or not voting: Senators Carper, Crow, Davis, High, Mantz, Megler, Miller David, and Yeend—8.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, to whom was referred Senate bill No. 251, entitled "An act fixing the salary of the Warden of the

State Penitentiary, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

OLYMPIA, March 8, 1899.

MR. PRESIDENT:

We, your Committee on Engrossed bills, to whom was referred Senate bill No. 149, entitled "An act defining the powers of municipal corporations in respect of granting franchises to street railways, and declaring an emergency," have had the same properly engrossed.

Respectfully submitted.

J. G. MEGLER, Chairman.

I concur in this report: C. A. Mantz.

Senate bill No. 251 was read the third time, placed on final passage and passed by the following vote: Yeas 21, nays 4, absent or not voting 9.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Davis, Hall, Hamilton, Hemrich, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Schofield, Warburton, and Yeend—21.

Those voting nay were: Senators Baker, Hammer, Preston, and Reinhart—4.

Absent or not voting: Senators Biggs, Crow, High, Hill, Miller David, Runner, Van Patten, Wilshire, and Wooding—9.

The emergency clause passed by the following vote: Yeas 23, nays 5, absent or not voting 6.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Warburton, Wooding, and Yeend—23.

Those voting nay were: Senators Baker, Preston, Schofield, Van Patten, and Wilshire—5.

Absent or not voting: Senators Biggs, Cole, Hemrich, High, Reinhart, and Runner—6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your committee on conference, to whom was referred House bill No. 452, entitled: "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1899, and ending March 31, 1901," have had the same under considera-

tion, and we respectfully report the same back to the Senate with the statement that we have been unable to agree with the House committee, and respectfully request the appointment of a committee of free conference.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.

We concur in this report: W. E. Runner, D. E. Biggs.

Senator Crow moved to suspend the rules and reconsider the vote by which House bill No. 179 failed to pass.

The motion was lost.

The president appointed Senators High, Biggs and Runner as a free conference committee in regard to House bill No. 452 relating to appropriations.

Senate bill No. 149, an act defining the powers of municipal corporations, in respect to granting franchises to street railways, was read the third time, placed on final passage and failed to pass by the following vote: Yeas 4, nays 17, absent or not voting 13.

Those voting yea were: Senators Land, Mantz, Miller David, and Van Patten—4.

Those voting nay were: Senators Andrews, Baker, Clapp, Hall, Hamilton, Hammer, Hemrich, Hill, McReavy, Miller T. J., Paul, Plummer, Preston, Reinhart, Warburton, Wilshire and Wooding—17.

Absent or not voting: Senators Baum, Biggs, Carper, Cole, Crow, Davis, High, Keith, LeCrone, Megler, Runner, Schofield and Yeend—13.

The House amendments to Senate bill No. 101 were concurred in by the following vote: Yeas 24, nays 1, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Paul, Plummer, Preston, Van Patten, Warburton, Wilshire, Wooding, and Yeend—24.

Senator Reinhart voted nay.

Absent or not voting: Senators Baum, Biggs, Cole, Hemrich, High, Mantz, Miller T. J., Runner, and Schofield—9.

House bill No. 335 was read the third time, placed on final passage, and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Clapp, Cole, Crow, Hamilton, Hammer, Hemrich, Hill, LeCrone, McReavy,

Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Baum, Biggs, Carper, Davis, Hall, High, Keith, Land, Mantz, Runner, and Wilshire — 11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

House bill No. 280, by Mr. Callvert, An act to amend section one of an act entitled "An act authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterways, systems of sewerage, works for lighting, heating, fuel and power purposes," etc., was read the third time, placed on final passage, and passed by the following vote: Yeas 27, nays 0, absent or not voting 7.

Those voting yea were: Senators Andrews, Baum, Biggs, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Keith, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 27.

Nays none.

Absent or not voting: Senators Baker, Davis, High, Hill, LeCrone, Paul, and Runner — 7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 324, by Mr. Callvert, An act to amend sections 11, 12, 33 and 36, and to repeal sections 8, 9 and 10 of an act entitled "An act providing for the establishment of a system of improved roads in counties," etc., was read the third time, placed on final passage and passed by the following vote: Yeas 22, nays 2, absent or not voting 10.

Those voting yea were: Senators Andrews, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Megler, Miller T. J., Paul, Plummer, Schofield, Wilshire, Wooding, and Yeend — 22.

Those voting nay were: Senators Mantz and Van Patten — 2.

Absent or not voting: Senators Baker, Baum, Biggs, High, McReavy, David Miller, Preston, Reinhart, Runner, and Warburton—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 470, by Mr. Heilig, An act for the relief of certain persons and companies who furnished supplies to, and performed services for, the State of Washington in connection with the mobilization of the First Regiment of Washington Volunteers at Camp Rogers, in May, 1898, was read the third time, placed on final passage and passed by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Megler, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—23.

Absent or not voting: Senators Baker, Baum, Biggs, Carper, Cole, Crow, Mantz, McReavy, David Miller, High and Runner—11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 227, by Mr. Pratt, An act to amend sections 1, 2 and 3 of an act entitled "An act to extend the right of eminent domain to electric power companies, and declaring an emergency," approved March 11, 1895, was read the third time and amended by adding to section 1 "public road or street," placed on final passage and passed by the following vote: Yeas 21, nays 4, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Crow, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Plummer, Preston, Schofield, Warburton, Wilshire, and Yeend—21.

Those voting nay were: Senators Carper, Davis, Reinhart, and Van Patten—4.

Absent or not voting: Senators Biggs, Cole, Hall, High, Mantz, Miller T. J., Paul, Runner, and Wooding—9.

The emergency clause failed to pass by the following vote: Yeas 11, nays 8, absent or not voting 15.

Those voting yea were: Senators Andrews, Baker, Clapp, Crow, Hamilton, Hammer, Hemrich, Hill, LeCrone, Schofield, and Wooding—11.

Those voting nay were: Senators Davis, Keith, Paul, Plummer, Reinhart, Van Patten, Warburton, and Yeend—8.

Absent or not voting: Senators Baum, Biggs, Carper, Cole, Hall, High, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Preston, Runner, and Wilshire—15.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

House bill No: 93, by Mr. Dickson, An act amending sections 1 and 24 of chapter CXXXIII of the Laws of 1893, entitled "An act relating to proceedings supplemental to execution, and declaring an emergency," was read the third time, and amended by striking the last sentence in section 1, was placed on final passage and passed by the following vote: Yeas 19, nays 7, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Crow, Hamilton, Hammer, Hemrich, LeCrone, Megler, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—19.

Those voting nay were: Senators Davis, Hill, Keith, Miller David, Miller T. J., Paul, and Reinhart—7.

Absent or not voting: Senators Biggs, Cole, Hall, High, Land, Mantz, McReavy, and Runner—8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

WHEREAS, At the beginning of the session one James Miller was appointed clerk of Group 3 of the Senate committees; and

WHEREAS, The said James Miller has never appeared or been sworn in to fulfill the duties of such clerk; and

WHEREAS, E. C. McReavy, clerk of Group 8, under instructions from the secretary of the Senate, has performed the duties allotted to the said James Miller, in addition to his own duties; now, therefore, be it

Resolved, By the Senate that the two warrants issued in the name of

the said James-Miller be and the same hereby are turned over and delivered to the said E. C. McReavy, or that in lieu thereof new warrants be issued to him for the amount of the warrants originally issued to the said James Miller, and that the warrants issued to the said James Miller be destroyed.

D. E. BIGGS.

We concur: C. F. Clapp, W. H. Plummer, F. M. Baum, A. Hemrich, A. High, Dan Paul, S. M. LeCrone, John H. Carper, E. C. Keith, J. A. Davis, Thos. J. Miller, C. A. Mantz, W. E. Runner, John McReavy, Paul Land, Ed. S. Hamilton, J. A. Cole.

Senator Biggs moved to adopt.

Senators Yeend, Van Patten, Crow, LeCrone, and Hamilton demanded the roll call on the motion to adopt, which prevailed by the following vote: Yeas 22, nays 8, absent or not voting 4.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Clapp, Cole, Davis, Hall, Hamilton, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, and Runner—22.

Those voting nay were: Senators Crow, Hammer, Preston, Reinhart, Van Patten, Wilshire, Wooding, and Yeend—8.

Absent or not voting: Senators Carper, Miller David, Schofield, and Warburton—4.

House bill No. 198, by Mr. Sheller, an act to amend section 4271 of Ballinger's Annotated Codes and Statutes of Washington, relating to decrease of capital stock of corporations, and declaring an emergency, was read the third time, placed on final passage and passed by the following vote: Yeas 24, nays 4, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Paul, Plummer, Schofield, Warburton, Wooding, and Yeend—24.

Those voting nay were: Senators Davis, Preston, Reinhart, and Van Patten—4.

Absent or not voting: Senators Biggs, High, Mantz, Miller T. J., Runner, and Wilshire—6.

The emergency clause failed to pass by the following vote: Yeas 18, nays 4, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Cole, Crow, Hamilton, Hammer, Hemrich, Hill, Keith, LeCrone, McReavy, Megler, Miller T. J., Plummer, Schofield, and Warburton—18.

Those voting nay were: Senators Land, Mantz, Preston, and Van Patten—4.

Absent or not voting: Senators Biggs, Carper, Davis, Hall, High, Miller David, Paul, Reinhart, Runner, Wilshire, Wooding, and Yeend—12.

There being no objections, the title of the bill was ordered to stand as the title of the act, after striking the emergency clause.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 506 was read the third time, placed on final passage and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Davis, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller, T. J., Paul, Plummer, Reinhart, Runner, Schofield, Van Patten, Warburton, Wilshire and Wooding—28.

Absent or not voting: Senators Crow, Hall, High, Keith, Preston and Yeend—6.

The emergency clause passed by the following vote: Yeas 23, nays 1, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Carper, Cole, Davis, Hamilton, Hammer, Hemrich, Hill, Keith, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, and Wilshire—23.

Senator Wooding voted nay.

Absent or not voting: Senators Baum, Biggs, Clapp, Crow, Hall, High, Land, Reinhart, Runner, and Yeend—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 486, by Mr. Scott, An act to suppress and punish persons stealing rides on cars, engines and trains, and defining negligence relative thereto, and authorizing trainmen to arrest and prosecute offenders against this act, was read the time, placed on final passage and passed by the following vote: Yeas 20, nays 4, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum,

Biggs, Clapp, Cole, Crow, Hamilton, Hemrich, High, LeCrone, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Van Patten, Warburton, and Wilshire—20.

Those voting nay were: Senators Hill, Mantz, Reinhart, and Runner.

Absent or not voting: Senators Carper, Davis, Hall, Hammer, Keith, Land, Paul, Preston, Wooding, and Yeend—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

On motion of Senator Plummer the resolution relating to final passage of bills was amended to read 10 o'clock P. M.

The House amendments to Senate bill No. 22 were concurred in by the following vote: Yeas 24, nays 1, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Davis, Hall, Hammer, Hemrich, Hill, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Warburton, Wilshire, and Wooding—24.

Those voting nay were: Senator Van Patten—1.

Absent or not voting: Senators Biggs, Clapp, Crow, Hamilton, High, Keith, Land, Runner, and Yeend—9.

On motion of Senator Plummer the Senate took a recess until 7:30 P. M.

EVENING SESSION.

President Daniels called the Senate to order at 7:30 P. M.

The secretary called the roll, all members being present.

The president called Senator Hamilton to the chair.

House bill No. 531 (substitute for House bill No. 311), by Committee on Revenue and Taxation, An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, and declaring an emergency, was read the third time, placed on final passage and passed by the following vote: Yeas 21, nays 2, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Clapp,

Crow, Davis, Hamilton, Hammer, Hemrich, Hill, Keith, LeCrone, Mantz, Paul, Plummer, Preston, Reinhart, Schofield, Warburton, Wilshire, Wooding, and Yeend—21.

Those voting nay were: Senators Baker and Cole—2.

Absent or not voting: Senators Biggs, Carper, High, Land, McReavy, Megler, Miller David, Miller T. J., Runner and Van Patten—11.

The emergency clause passed by the following vote: Yeas 26, nays none, absent or not voting 8.

Those voting yea were: Senators Andrews, Baker, Baum, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend—26.

Absent or not voting: Senators Biggs, Carper, Clapp, Hall, High, Miller David, Miller T. J., and Runner—8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

The president resumed the chair.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House has passed Senate bill No. 230, entitled "An act empowering the Board of State Land Commissioners to relinquish to the United States selected lands to which the title of the state has failed or shall fail, and declaring an emergency."

Also, Senate bill No. 106, entitled "An act relating to foreign corporations and providing a penalty, and repealing conflicting laws."

The speaker of the House has signed Senate bill No. 141, entitled "An act to amend section 16 of an act entitled 'An act providing for the organization, classification, incorporation, and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, the same being section 508 of volume 1 of Hill's Code."

Also, Senate bill No. 93, entitled "An act changing the name of Hangman creek, in Spokane county, to Latah creek."

Also, Senate bill No. 142, entitled "An act for the relief of Horatio Alling, chief clerk in the office of Secretary of State; Herbert Bashford, State Librarian; and B. M. Price, Assissant State Librarian; and making an appropriation therefor."

Also, Senate bill No. 106, entitled "An act relating to foreign corporations and imposing a penalty, and repealing conflicting laws."

Also, Senate bill No. 182, entitled "An act providing for the repair of the Snoqualmie Pass wagon road, and appropriating funds therefor."

Also, Senate bill No. 160, entitled "An act to protect sturgeon, and to regulate the time and manner of fishing for sturgeon in the waters of the Columbia river, prohibiting the use of Chinese hooks in the waters of this state, and providing a penalty."

Also, Senate bill No. 124, entitled "An act to establish the validity of the organization of municipal corporations incorporated under existing laws of the state, and declaring an emergency."

Also, Senate bill No. 22, entitled "An act to establish the legal rate of interest in the State of Washington, to prevent usury, and to provide for the rate of interest on public warrants."

Also, House bill No. 193, entitled "An act to provide for the adoption and use of school text-books in all school districts including or included within cities and towns maintaining high schools."

Also, House bill No. 506, entitled "An act relating to the powers of cities of the fourth class, and declaring an emergency."

Also, House bill No. 331, entitled "An act providing for the dissolution of irrigation districts and the liquidation of their indebtedness."

Also, House bill No. 396, entitled "An act amending section 12 of an act entitled 'An act providing liens upon saw logs, spars, piles, or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens, and the benefit thereof, and the manner and the procedure of obtaining the same,' approved March 15, 1893."

Also, Senate bill No. 251, entitled "An act fixing the salary of the Warden of the State Penitentiary."

Also, Senate bill No. 245, entitled "An act relating to the laws of libel, and providing for opportunity of retraction of libels."

Also, Senate bill No. 210, entitled "An act providing for making definite and certain, the boundaries of incorporated towns or cities of the fourth class, the boundaries of which are indefinite or uncertain, and declaring an emergency."

Also, House bill No. 332, entitled "An act to provide for the state printing and binding, fixing the methods and rules to govern the same, creating commissioners of public printing, and a state printing expert; also repealing the following acts: An act entitled 'An act to provide for the state printing and binding, fixing the compensation of the State Printer,' etc., approved February 19, 1890; also, an act entitled 'An act to create the office of State Printer, to provide for the election,' etc., approved February 19, 1890; also, an act entitled 'An act to amend sections 1 and 5 of "An act to provide for the state printing and binding," etc., approved March 9, 1893;' also, sections 3, 4, and 5 of an act entitled 'An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state,' approved March 6, 1897."

Also, House joint resolution No. 26.

Also, House bill No. 379, entitled "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency."

Also House bill No. 95, entitled "An act relating to the appointment of guardian ad litem of insane persons."

Also, House bill No. 371, entitled "An act for the appointment of a hop inspector."

Also, House bill No. 486, entitled "An act to suppress and punish persons stealing rides on cars, engines and trains, and defining negligence relative thereto, and authorizing trainmen to arrest and prosecute offenders against this act."

Also, House bill No. 93, entitled "An act amending sections 1 and 24 of chapter 133 of the Laws of 1893, entitled "Act relating to proceedings supplemental to execution."

Also, House bill No. 227, entitled "An act extending the right of eminent domain to electric power and electric railroad companies, and declaring an emergency."

Also, House bill No. 151, entitled "An act to amend sections 48 and 50 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the board of state land commissioners; defining their duties and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, being chapter 89, Session Laws of 1897."

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed the above entitled House bills.

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House has passed House bill No. 245, entitled "An act relating to the law of libel, and providing for opportunity of retraction of libels."

Also, joint resolution No. 27, relative to the disposition and printing of the House and Senate journals of this session of the legislature."

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 9, 1899.

The Honorable the Senate of the State of Washington, Senate Chamber, Olympia, Washington:

GENTLEMEN — I have the honor to submit herewith a list of appointments made during the session of the legislature not heretofore reported to you for confirmation:

BOARD OF REGENTS OF THE UNIVERSITY OF WASHINGTON, SEATTLE,
WASHINGTON.

Hon. John P. Hoyt, Seattle, appointed for the term ending the second Monday in March, A. D. 1905, to succeed himself, term expired.

Hon. Richard Winsor, Seattle, appointed for the term ending the second Monday in March, A. D. 1905, to succeed himself, term expired.

Yours respectfully,

J. R. ROGERS, Governor.

Senator Cole moved that the appointments be confirmed in open session. The motion prevailed, and the appointments were confirmed by the following vote: Yeas 30, nays 0, absent or not voting 4.

Nays: None.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 30.

Absent or not voting: Senators Biggs, Hemrich, High, and Runner—4.

STATE OF WASHINGTON,

EXECUTIVE DEPARTMENT, OLYMPIA, March 8, 1899.

The Honorable President of the Senate, Senate Chamber, Olympia, Washington:

SIR - I have the honor to inform you the Governor has this day approved the following bills:

Senate bill No. 7: An act for protection against the spread of Canada and Russian thistles, and for the destruction of the same, etc.

Senate bill No. 44: An act to amend section 19 of an act entitled "An act relating to appeals to the Supreme Court, approved March 8th, 1893."

Senate bill No. 50: An act to amend section 30 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands," etc.

Senate bill No. 105: An act providing for the construction of a sewer for the Washington School for Defective Youth, etc., etc.

Senate bill No. 239: An act relating to the validating of leases made by cities.

Senate bill No. 102: An act for the appropriation of money to defray the expenses of public printing.

Senate bill No. 155: An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington.

Yours respectfully,

J. H. PELLETIER,
Governor's Private Secretary.

The House amendments to Senate bill No. 251 were concurred in by the following vote: Yeas 29, nays none, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Reinhart, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 29.

Nays: None.

Absent or not voting: Senators Biggs, Carper, High, Preston, and Runner — 5.

The House amendments to Senate bill No. 178 were concurred in by the following vote: Yeas 28, nays 1, absent or not voting 5.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Davis, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 28.

Senator Reinhart voted nay.

Absent or not voting: Senators Biggs, Hall, High, Mantz, and Runner — 5.

The motion to reconsider the vote by which House bill No. 179 failed to pass was lost by the following vote: Yeas 18, nays 10, absent or not voting 6.

Those voting yea were: Senators Andrews, Baum, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Keith, LeCrone, Mantz, McReavy, Miller T. J., Paul, Plummer, Reinhart, and Schofield — 18.

Those voting nay were: Senators Baker, Carper, Cole, Hill, Megler, Preston, Warburton, Wilshire, Wooding, and Yeend — 10.

Absent or not voting: Senators Biggs, High, Land, Miller David, Runner, and Van Patten — 6.

The House amendments to Senate bill No. 245 were concurred in by the following vote: Yeas 21, nays 0, absent or not voting 13.

Those voting yea were: Senators Andrews, Baum, Biggs, Clapp, Cole, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Preston, Reinhart, Van Patten, Warburton, and Wilshire — 21.

Nays: None.

Absent or not voting: Senators Baker, Carper, Crow, Davis, Hall, Hemrich, High, Paul, Plummer, Runner, Schofield, Wooding, and Yeend — 13.

House bill No. 396, An act amending section 12 of an act entitled "An act providing for liens upon sawlogs, spars, piles or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens, and the benefit thereof and the manner and the procedure of obtaining the same," approved March 15, 1893, was read the third time, placed on final passage and passed by the following vote: Yeas 21, nays none, absent or not voting 13.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, Megler, Miller David, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, and Wooding — 21.

Absent or not voting: Senators Biggs, Clapp, Cole, Crow, High, LeCrone, Mantz, McReavy, Miller T. J., Paul, Reinhart, Runner, and Yeend — 13.

The vote by which the bill passed was then reconsidered and Senator Schofield withdrew his amendment and the bill then passed by the following vote: Yeas 24, nays none, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Davis, Hall, Hamilton, Hammer, Hemrich, Keith, Land, LeCrone, Mantz, Megler, Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire and Wooding—24.

Absent or not voting: Senators Biggs, Crow, High, Hill, McReavy, Miller David, Miller T. J., Reinhart, Runner, and Yeend — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 95, by Mr. Sheller, An act relating to the appointment of guardian ad litem of insane persons, was placed on final passage and passed by the following vote: Yeas 22, nays none, absent or not voting 12.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, Megler, Miller David, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, and Wooding — 22.

Nays: None.

Absent or not voting: Senators Baker, Biggs, Crow, High, LeCrone, Mantz, McReavy, Miller T. J., Paul, Runner, Wilshire, and Yeend — 12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 157, by Mr Rosenhaupt, An act providing for voting on a constitutional amendment at the general election to be held in November, 1900, relative to the ownership of lands by aliens, was read the third time, placed on final passage and failed to pass by the following vote: Yeas 16, nays 8, absent or not voting 10.

Those voting yea were: Senators Baker, Baum, Biggs, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, Keith, LeCrone, Megler, Miller David, Plummer, Wooding, and Yeend — 16.

Those voting nay were: Senators Andrews, Carper, Cole, Hill, Land, Mantz, Preston, and Van Patten — 8.

Absent or not voting were: Senators Davis, High, McReavy, Miller T. J., Paul, Reinhart, Runner, Schofield, Warburton, and Wilshire — 10.

House bill No. 371, by Mr. Bisson, An act for the appointment of a hop inspector, was read the third time and amended by striking "conclusive" in line 3, section 3, and inserting "prima facie," was read the third time, placed on final passage, by and passed the following vote: Yeas 22, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Clapp, Cole, Davis, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Wilshire, and Wooding—22.

Senator Van Patten voted nay.

Absent or not voting: Senators Baker, Biggs, Carper, Crow, Hall, High, Mantz, Reinhart, Runner, Warburton, and Yeend — 11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

House bill No. 469, by Mr. Pendergast, An act relating to chattel mortgages and the filing thereof, and repealing all laws in conflict therewith, was read the third time, placed on final passage and passed by the following vote: Yeas 21, nays 4, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Cole, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Megler, Miller David, Paul, Plummer, Schofield, Van Patten, and Wooding — 21.

Those voting nay were: Senators Mantz, Preston, Warburton, and Wilshire — 4.

Absent or not voting: Senators Crow, Davis, Hall, High, McReavy, Miller T. J., Reinhart, Runner, and Yeend — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

WHEREAS, By reason of the fact that the engrossing clerk, enrolling clerk and the journal clerks and Lee Smith, the assistant sergeant-at-arms, have been compelled to be responsible for all bills and to perform services during eighteen hours of the day; and

WHEREAS, E. J. Eldridge has acted during the session as a stenographer for the Senate and the members thereof in addition to his other duties; and

WHEREAS, Ed Miller has assisted the secretary of the Senate in the performance of his duties in addition to his regular duties; therefore, be it

Resolved by the Senate, That the said clerks above referred to and the assistant sergeant-at-arms be and they are hereby allowed additional salary to the extent of one-fourth of that allowed them heretofore; and be it further

Resolved, That the secretary and president be and they are hereby authorized and directed to draw warrants for the amounts due each.

W. H. PLUMMER.

We concur: Cyrus F. Clapp, J. G. Megler, John McReavy, D. E. Biggs, F. M. Baum, A. Hemrich, A. High, Daniel Paul, John H. Carper, E. C. Keith, J. A. Davis, Thos. J. Miller, C. A. Mantz, W. E. Runner, Paul Land, J. A. Cole.

Senator Davis moved to adopt the resolution.

Senators Preston, Wilshire, Yeend, Mantz, Hammer, and Crow demanded the roll call on the motion, which prevailed by the following vote: Yeas 16, nays 12, absent or not voting 6.

Those voting yea were: Senators Baum, Biggs, Cole, Davis,

Hall, Hamilton, Hemrich, Keith, Land, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, and Runner—16.

Those voting nay were: Senators Andrews, Baker, Carper, Hammer, Hill, LeCrone, Preston, Reinhart, Schofield, Van Patten, Wooding, and Yeend—12.

Absent or not voting: Senators Clapp, Crow, High, Miller David, Warburton, and Wilshire—6.

House bill No. 305, by Mr. Langfitt, An act to amend section 5 of "An act to provide for the establishment and creation of dike districts, and the construction and maintenance of a system of dikes, and to provide the means of the payment thereof," and declaring an emergency, was read the third time, placed on final passage and passed by the following vote: Yeas 21, nays 3, absent or not voting 10.

Those voting yea were: Senators Biggs, Carper, Clapp, Cole, Davis, Hall, High, Hill, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Runner, Warburton, and Wooding—21.

Those voting nay were: Senators Andrews, Hemrich, and Van Patten—3.

Absent or not voting: Senators Baker, Baum, Crow, Hamilton, Hammer, Keith, LeCrone, Schofield, Wilshire, and Yeend—10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

Resolved by the Senate, the House concurring, That the secretary of Senate is hereby directed to cause to be printed, under the supervision of the State Printing Board, for free distribution, three thousand copies of the School Laws, one thousand copies State, Granted and School Land Laws, and three thousand copies of the Road Laws, in pamphlet form.

On motion of Senator Plummer, the resolution was adopted.

House bill No. 284, by Mr. Heilig, An act providing for the compulsory attendance of children in the public schools in cities of more than ten thousand inhabitants, was read the third time, amended in section 1, line 1, by striking "eight" and inserting "six." placed on final passage and passed by the following vote: Yeas 22, nays 5, absent or not voting 7.

Those voting yea were: Senators Baker, Baum, Carper, Clapp, Cole, Davis, Hamilton, Hemrich, Hill, Keith, Land, Mantz,

McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, and Wooding—22.

Those voting nay were: Senators Andrews, Hall, Hammer, Warburton, and Yeend—5.

Absent or not voting: Senators Biggs, Crow, High, LeCrone, Runner, Van Patten, and Wilshire—7.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended, and the bill ordered immediately transmitted to the House.

House bill No. 347, by the Insurance Committee, An act to regulate, control and license insurance companies, was read the third time, and amended as follows :

Strike out lines, 5, 6, 7, and 8 and insert after the word “be” in line 4, the words “Two dollars for each company represented by any person, firm or corporation.”

Insert the following as section 7:

“Section 7. Any owner of property situated or located in the State of Washington at the time of being insured who shall insure his property in a company, corporation or association not authorized to do business in this state shall be held liable to the State of Washington for twenty-five per cent. of the gross premiums paid to any such unauthorized company. The insurance commissioner is hereby authorized to institute actions against any person violating the provisions of this section, and for the recovery of the penalty herein provided for.”

Strike out section 8 and insert in lieu thereof the following:

“Section 8. Any policy of fire insurance solicited, issued or delivered in violation of the provisions of this act shall nevertheless be a valid contract in favor of the insured.”

Strike out section 9 and insert in lieu thereof the following :

“Section 9. Any person through whom any insurance company writing insurance upon any property in this state shall deliver a policy of insurance shall be deemed the agent of such company as to all transactions relating to such insurance had between such person and the insured named in the policy, prior to and at the delivery thereof.”

The bill was then placed on final passage and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Miller David, Miller T. J., Paul, Plummer, Preston, Reinhart, Schofield, Van Patten, Warburton, Wooding, and Yeend—28.

Nays: None.

Absent or not voting: Senators Baker, Biggs, High, Megler, Runner, and Wilshire — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 388, by Mr. Sharp, An act providing for the condemnation proceedings for right-of-way for irrigating ditches, canals and flumes for agricultural and mining purposes, etc., was read the third time, placed on final passage and passed by the following vote: Yeas 21, nays 1, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Hall, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Schofield, Warburton, Wooding, and Yeend — 21.

Senator Van Patten voted nay.

Absent or not voting: Senators Biggs, Carper, Cole, Crow, Davis, Hemrich, High, Paul, Preston, Reinhart, Runner, and Wilshire — 12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 428, by Mr. McCoy, An act providing for condemnation of right-of-way for logging purposes and for conveying timber products, was read the third time, placed on final passage and passed by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Hall, Hamilton, Hammer, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Baker, Biggs, Cole, Crow, Davis, Hemrich, High, Keith, Preston, Reinhart, and Runner — 11.

The emergency clause passed by the following vote: Yeas 23, nays 2, absent or not voting 9.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hill, Land, LeCrone, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 23.

Those voting nay were: Senators Mantz and Preston — 2.

Absent or not voting: Senators Baker, Biggs, Cole, Crow, Hemrich, High, Keith, Reinhart, and Runner — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 293, by Mr. Allen, An act empowering the Board of Regents of the Agricultural College and School of Science to give bonds for the safe keeping of the arms and ordnance stores loaned by the United States to the college, was placed on final passage and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Plummer, Preston, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 24.

Nays none.

Absent or not voting: Senators Biggs, Cole, Crow, High, Keith, Miller David, Paul, Reinhart, Runner, and Warburton — 10.

The emergency clause passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Davis, Hall, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Plummer, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Biggs, Clapp, Cole, Crow, Hemrich, High, Miller T. J., Paul, Preston, Reinhart, and Runner, — 11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 147, by Mr. Thacker, An act to provide for laying out and establishing private ditches and drains, was read the third time, placed on final passage and passed by the following vote: Yeas 23, nays 0, absent or not voting 12.

Those voting yea were: Senators Andrews, Baker, Baum, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Keith, Land, Megler, Miller David, Miller T. J., Plummer, Preston, Schofield, Warburton, Wilshire, and Yeend — 23.

Absent or not voting: Senators Biggs, Carper, Davis, Hill, LeCrone, Mantz, McReavy, Paul, Reinhart, Runner, Van Patten, and Wooding — 12.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

Senate bill No. 186, by Senator Davis (by request), An act relating to appeals to the superior court from any decision or order of the board of county commissioners, and to repeal existing laws in relation thereto, was read the third time, placed on final passage and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Carper, Clapp, Davis, Hamilton, Hammer, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, and Yeend — 23.

Absent or not voting: Senators Baker, Baum, Biggs, Cole, Crow, Hall, Hemrich, High, Reinhart, Runner, and Wooding — 11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT :

The speaker of the House has signed Senate bill No. 133, entitled "An act to prevent the removal of fixtures or permanent improvements from

real estate which is subject to mortgage or other liens without the consent of the owner or holder of such liens, and providing a penalty for the violation thereof."

Also, Senate bill No. 206, entitled "An act to enlarge and define the powers of unclassified cities within the State of Washington, incorporated by special charter prior to the adoption of the State Constitution."

Also, Senate bill No. 231, entitled "An act limiting the time in which appeals from the Board of State Land Commissioners to the Superior Court shall be prosecuted."

Also, Senate bill No. 191, entitled "An act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes."

Also, Senate bill No. 225, entitled "An act to amend section 53 of an act of the legislature of the State of Washington, entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States, creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, and making an appropriation for the use of the Commissioner of Public Lands, and declaring an emergency."

Also, Senate bill No. 101.

Also, Senate bill No. 236, entitled "An act relating to the filing and recording of mixed, chattel and real estate mortgages in the State of Washington, and curative provisions relative thereto."

Also, Senate bill No. 207, entitled "An act providing for the auditing and allowance of expense accounts for all state and county officers, and providing for the penalties for the violation thereof."

Also, Senate bill No. 71, entitled "An act providing for the payment of various claims against the State of Washington as evidenced by certificates of indebtedness, making appropriations therefor."

Also, Senate bill No. 100, entitled "An act to adopt Ballinger's Annotated Statutes and Codes of Washington as an official compilation."

Also, House bill No. 113, entitled "An act to amend section 132 of an act providing for the organization, classification, incorporation and government of municipal corporations and declaring an emergency, approved March 27, 1890, as said section was amended by section 8 of an act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135, and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890, and approved March 9, 1893."

Also, House bill No. 241, entitled "An act to repeal an act entitled 'An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state,' approved March 6, 1897, found on pages 47 and 48 of the laws of 1897."

Also, House bill No. 246, entitled "An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electrical current, or appurtenances or appliances connected therewith; or to remove, injure or destroy any house, shop, building or other structure or machinery connected therewith; or to set any fire that shall result in such injury or destruction; or to prevent the removal of any obstruction to such lines, and prescribing the punishment therefor."

Also, House bills No. 280 and No. 472.

Also House bill No. 535.

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The president signed the above House bills.

House bill No. 501, by Committee on Tide Lands, An act for the reappraisement of the tide lands in front of the cities of New Whatcom and Fairhaven, was read the third time, placed on final passage and passed by the following vote: Yeas 28, nays 0, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Clapp, Crow, Hamilton, Hammer, Hemrich, High, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Cole, Davis, Hall, Miller David, Reinhart, and Runner — 6.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 363, by Mr. Wickersham, An act to punish the injury and destruction of property and records upon public lands, was read the third time, and amended by adding to section 1 the following: "——."

The bill was then placed on final passage and passed by the following vote: Yeas 26, nays 0, absent or not voting 8.

Those voting yea were: Senators Andrews, Baum, Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 26.

Nays: None.

Absent or not voting: Senators Baker, Biggs, Cole, Crow, High, Keith, Reinhart, and Runner -- 8.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

On motion of Senator Baum, the resolution relating to the final passage of bills was further amended to read "10:45 P. M."

House bill No. 431, by Committee on Horticulture, An act to amend sections 4, 12 and 14, chapter CIX, page 308, Session Laws of 1897, of An act to promote and protect the fruit growing and horticultural interests of the State of Washington, and declaring an emergency, was read the third time, placed on final passage, and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Davis, Hall, Hamilton, Hammer, Hill, Keith, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, Wilshire, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Biggs, Cole, Crow, Hemrich, High, LeCrone, Reinhart, Runner, Van Patten, and Wooding — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

The emergency clause passed by the following vote: Yeas 23, nays 1, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Crow, Davis, Hall, Hamilton, Hammer, Hill, Land, Mantz, McReavy, Megler, Miller T. J., Plummer, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 23.

Senator Preston voted nay.

Absent or not voting: Senators Biggs, Cole, Hemrich, High, Keith, LeCrone, Miller David, Paul, Reinhart, and Runner — 10.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 533, an act authorizing cities and towns to construct sewers and drains within assessment districts," etc., was read the third time, placed on final passage and passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Biggs, Clapp, Davis, High, Paul, Reinhart, and Runner—7.

The emergency clause passed by the following vote: Yeas 25, nays none, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend — 25.

Nays none.

Absent or not voting: Senators Biggs, Crow, Davis, High, Keith, Miller T. J., Paul, Reinhart, and Runner—9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

MEMORIAL.

To the Senate and House of Representatives of the United States:

We, your memorialists, the Legislature of the State of Washington, respectfully represent as follows:

WHEREAS, The present lighthouse district of the northwestern part of the United States, denominated the Thirteenth, includes all that portion lying north of the south line of the State of Oregon, in which is the vast shore line district of Puget Sound, and the District of Alaska; and

WHEREAS, Much of the shore line of said district, especially in Alaska, is composed of numerous rocky points and hidden shoals, narrow channels and other obstructions that are dangerous to navigation, for the safety of which the most perfect surveillance and inspection is required; and

WHEREAS, The said district is so large that it is impossible for the

present force as constituted to properly patrol the whole field, and place buoys and other objects for the protection of navigation, and to quickly discover when such buoys and other objects are lost and destroyed; and

WHEREAS, The shipping on the Straits of Fuca and Puget Sound, the arms of the sea in Alaska, and the Yukon river, has increased more than three hundred per cent. during the last three years; and

WHEREAS, In the interests of shipping and of the people of the United States, and for the protection of life and property, the said district should be divided so that more perfect surveillance can be maintained, and greater security given to all shipping in said waters;

Be it therefore resolved by the Legislature of the State of Washington, that the State of Washington respectfully ask the Congress of the United States to take such steps as will result in passing a bill dividing the Thirteenth Lighthouse District of the United States, and creating a new district therefrom, which shall include that portion of the Pacific ocean coast line of the State of Washington lying north of Destruction island, and including the Straits of Fuca, Puget Sound, and the waters of the District of Alaska.

The memorial was adopted.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 71, An act providing for the payment of various claims against the State of Washington as evidenced by certificate of indebtedness, making appropriations therefor, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 236, An act relating to the filing and recording of mixed chattel and real estate mortgages in the State of Washington and curative provisions relative thereto, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 231, An act limiting the time in which appeals from the Board of State Land Commissioners to the superior court shall be prosecuted, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 225, an act to amend section 53 of an act of the legislature of the State of Washington, entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster, and other lands," etc., have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 191, an act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 253, an act appropriating the sum of two thousand dollars, or so much thereof as shall be necessary for legislative expenses, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president has signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 207, An act providing for the auditing and allowance of expense accounts, etc., have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT.

We, your Committee on Enrolled bills, to whom was referred Senate bill No. 206, An act to enlarge and define the powers of unclassified cities within the State of Washington incorporated by special charter prior to the adoption of the State Constitution, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: J. A. Cole.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 245, An act relating to the law of libel and providing for opportunity of retraction of libel, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: E. C. Keith.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 100, An act to adopt Ballinger's Annotated Statutes and Codes of Washington as an official compilation, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 133, An act to prevent the removal of fixtures or permanent improvements from real estate, etc., which is subject to mortgage or other liens, without the consent of the owner or holder of such liens and providing a penalty for the violation thereof, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 138, An act for the relief of O. M. Hidden, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 72, An act making appropriation for the maintenance of grain inspection, and declaring an emergency, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 230, An act empowering the Board of State Land Commissioners to relinquish to the United States selected lands to which the title of the state has failed, or shall fail, and declaring an emergency, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 5, an act providing for the constitutional amendment conferring power upon the Legislature to exempt certain property from taxation, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 93, an act changing the name of Hangman Creek, in Spokane county, to Latah Creek, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, you Committee on Enrolled Bills, to whom was referred Senate bill No. 106, an act relating to foreign corporations and imposing a penalty, and repealing conflicting laws, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 124, An act to establish the validity of the organization of municipal corporations incorporated under existing laws of the state, and declaring an emergency, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 142, An act for the relief of Horatio Alling, Chief Clerk in the office of the Secretary of State, Herbert Bashford, State Librarian, and B. M. Price, Assistant State Librarian, and making an appropriation therefor, have had the same properly enrolled.

Respectfully submitted. HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 141, An act to amend section 16 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, etc., and declaring an emergency," approved March 27, 1890, the same being section 508 of volume 1 of Hill's Code, and declaring an emergency, have had the same properly enrolled.

Respectfully submitted. HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 160, An act to protect sturgeon and to regulate the time and manner of fishing for sturgeon in the waters of the Columbia river, etc., prohibiting the use of Chinese hooks in the waters of this state, and providing a penalty, have had the same properly enrolled.

Respectfully submitted. HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above entitled bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 251, An act fixing the salary of the Warden of the State Penitentiary, have had the same properly enrolled.

Respectfully submitted. HERMAN D. CROW, Chairman.

I concur in this report: E. C. Keith.

The president signed the above bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 22, An act to establish the legal rate of interest in the State of Washington, etc., have had the same properly enrolled.

Respectfully submitted. HERMAN D. CROW, Chairman.

I concur in this report: E. C. Keith.

The president signed the above bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT :

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 210, An act providing for making definite and certain the boundaries of incorporated towns and cities of the fourth class, etc., the boundaries of which are indefinite or uncertain, and declaring an emergency, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: E. C. Keith.

The president signed the above bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 101, An act relating to drugs and medicines, the licensing of persons to compound, dispense, buy and sell the same, in the State of Washington, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: John I. Yeend.

The president signed the above bill.

OLYMPIA, March 9, 1899.

MR. PRESIDENT :

We, your Committee on Enrolled Bills, to whom was referred Senate bill No. 178, An act requiring horseshoers to pass an examination, and providing for a board of examiners, have had the same properly enrolled.

Respectfully submitted.

HERMAN D. CROW, Chairman.

I concur in this report: E. C. Keith.

The president signed the above bill.

House bill No. 304, by Mr. Pratt, An act amending section 2417, volume 1, Hill's Annotated Statutes and Codes of Washington, in relation to an act for bonds to be taken for municipal contracts, was read the third time, placed on final passage and passed by the following vote: Yeas 23, nays 0, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Hall, Hamilton, Hammer, Hemrich, Keith, Land, LeCrone, Mantz, Megler, Miller David, Paul, Plummer, Preston, Warburton, Wilshire, Wooding, and Yeend — 23.

Nays: None.

Absent or not voting: Senators Biggs, Crow, Davis, High, Hill, McReavy, Miller T. J., Reinhart, Runner, Schofield, and Van Patten — 11.

The emergency clause passed by the following vote: Yeas 25, nays 0, absent or not voting 9.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Keith, Land, LeCrone, Mantz, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, Wilshire, Wooding, and Yeend — 25.

Nays: None.

Absent or not voting: Senators Biggs, Clapp, Davis, High, McReavy, Miller David, Reinhart, Runner, and Van Patten — 9.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

House bill No. 236 was read the third time, placed on final passage and failed to pass by the following vote: Yeas 15, nays 5, absent or not voting 14.

Those voting yea were: Senators Andrews, Baker, Baum, Crow, Hamilton, Hemrich, Hill, LeCrone, Megler, Paul, Preston, Schofield, Wilshire, Wooding, and Yeend — 15.

Those voting nay were: Senators Cole, Land, Mantz, Miller T. J., and Van Patten — 5.

Absent or not voting: Senators Biggs, Clapp, Carper, Davis, Hall, Hammer, High, Keith, McReavy, Miller David, Plummer, Reinhart, Runner, and Warburton — 14.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

Senate memorial No. 8 was read the third time, placed on final passage and passed by the following vote: Yeas 24, nays 0, absent or not voting 10.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, High, Land, LeCrone, McReavy, Megler, Miller T. J., Paul, Plummer, Preston, Schofield, Warburton, Wilshire, and Yeend — 24.

Nays: None.

Absent or not voting: Senators Biggs, Davis, Hill, Keith, Mantz, Miller David, Reinhart, Runner, Van Patten, and Wooding — 10.

House Concurrent Resolution No. 27, relating to the printing

and distribution of the Senate and House Journals was read, and amended to include the Senate minute and Journal clerks and passed.

On motion of Senator Plummer the the Senate resolved itself into Committee of the Whole for the consideration of House bill No. 535, Senator Megler in the chair.

The committee arose and reported that the bill do pass.

Report was adopted.

The bill was read the third time, placed on final passage and passed by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Andrews, Baker, Baum, Carper, Clapp, Cole, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Schofield, Van Patten, Warburton, Wilshire, Wooding, and Yeend—27.

Absent or not voting: Senators Biggs, Davis, High, Keith, Paul, Reinhart, and Runner—7.

The emergency clause passed by the following vote: Yeas 23, nays none, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Carper, Clapp, Crow, Hall, Hamilton, Hammer, Hemrich, Hill, Land, LeCrone, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Van Patten, Warburton, Wilshire, Wooding and Yeend—23.

Absent or not voting: Senators Baum, Biggs, Cole, Davis, High, Keith, Mantz, McReavy, Preston, Reinhart, and Runner—11.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The speaker has signed House bill No. 531.

Also, House bill No. 335.

Also, House bill No. 347.

Also, House bill No. 533.

Also, House bill No. 293.

Also, House bill No. 431.

Also, House bill No. 198.

Also, House bill No. 388.

Also, House bill No. 428.

Also, House bill No. 469, entitled "An act relating to chattel mortgages and the filing thereof, and repealing all laws in conflict therewith."

Also, House bill No. 384, entitled "An act to amend section 6 of 'An act to provide for the relief of indigent Union and Mexican war soldiers,' " etc.

And the same are herewith transmitted.

W. F. DILLON, Chief Clerk.

The president signed the above House bills.

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House bill No. 241, and indefinitely postponed Senate bills Nos. 197, 220 and 231.

W. F. DILLON, Chief Clerk.

House bill No. 384 was read the third time, placed on final passage and passed by the following vote: Yeas 19, nays 4, absent or not voting 11.

Those voting yea were: Senators Andrews, Baker, Carper, Cole, Crow, Davis, Hammer, Hemrich, Hill, LeCrone, Megler, Miller David, Miller T. J., Paul, Plummer, Schofield, Warburton, Wilshire, and Wooding — 19.

Those voting nay were: Senators Clapp, Hamilton, Land, and Preston — 4.

Absent or not voting: Senators Baum, Biggs, Hall, High, Keith, Mantz, McReavy, Reinhart, Runner, Van Patten, and Yeend — 11.

The emergency clause failed to pass by the following vote: Yeas 14, nays 2, absent or not voting 18.

Those voting yea were: Senators Andrews, Carper, Cole, Davis, Hamilton, Hammer, Hemrich, LeCrone, Mantz, Megler, Miller David, Miller T. J., Wilshire, and Wooding — 14.

Those voting nay were: Senators Crow and Yeend — 2.

Absent or not voting: Senators Baker, Baum, Biggs, Clapp, Hall, High, Hill, Keith, Land, McReavy, Paul, Plummer, Preston, Reinhart, Runner, Schofield, Van Patten, and Warburton — 18.

There being no objections, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the bill ordered immediately transmitted to the House.

The following resolution was offered by Senator Hamilton:

WHEREAS, The proceedings of the Senate, in sixth legislative session assembled, have been placed before the public in a most fair and impartial manner by the suave and accomplished correspondents of the state press, represented as follows, towit: The Post-Intelligencer by J. Howard Watson, the Spokesman-Review by J. H. Brown, the Oregonian by Mrs. Blankenship, the Ledger by M. M. Mattison, the Times and News by O. M. Moore; therefore be it

Resolved, that the Senate extend its sincere thanks to the correspondents above named and commend the newspapers for the wisdom they have shown in sending such able correspondents to report the legislative proceedings.

On motion of Senator Hamilton, the resolution was adopted.

Resolved, that the sergeant-at-arms be instructed to take charge of the Senate chamber after the legislature adjourns, clean and dust the same, and deliver all keys and other property to the Secretary of State, taking his receipt therefor, and shall receive twenty dollars for such extra service.

The resolution was adopted.

House bill No. 449, by Mr. Sims, An act to amend sections 379, 385 and 401 of volume 1, Hill's Annotated Codes and Statutes of the State of Washington, relating to ballots, was read the third time, and, on motion of Senator Preston, was indefinitely postponed.

On motion of Senator Plummer, the Senate took a recess for fifteen minutes.

The president called the Senate to order, and the following report was read by the secretary:

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

We, your Committee on Free Conference, to whom was referred House bill No. 452, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1899, and ending March 31, 1901," have had the same under consideration, and we respectfully report the same back to the Senate, with the statement that we have been unable to agree with the House committee, and respectfully submit the following report and ask for instructions.

Respectfully submitted.

AUGUSTUS HIGH, Chairman.
W. E. RUNNER.
D. E. BIGGS.

On motion of Senator Hamilton, the committee was instructed to sit again.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House resolved that it will adjourn *sine die* 30 in minutes.

W. F. DILLON, Chief Clerk.

The following resolution was introduced by Senator Plummer:

Be it Resolved by the Senate of the State of Washington, That we commend the able, efficient and impartial manner in which President Thurston Daniels, and Secretary Dudley Eshleman of the Senate have performed their duties and congratulate the State of Washington on having so efficient officers of the upper house, and especially do we commend their action in the faithful performance of their duties.

On motion of Senator Plummer the resolution was adopted.

Be it Resolved, That all employes of the Senate be allowed compensation for one day for this night's attendance, and that the secretary draw such warrants.

The resolution was adopted.

On behalf of myself and the employes of the Senate, I desire to thank the Senators for their impartial and courteous treatment during this session.

DUDLEY ESHELMAN.

Be it resolved by the Senate, That the secretary and minute clerk be each allowed five days in which to close up the work of this session; and be it further

Resolved, That the journal and the assistant journal clerks be each allowed seven days in which to finish the journal of this session, and the docket clerk be allowed two days to complete the docket.

On motion of Senator Plummer, the resolution was adopted.

Be it resolved, That the pages of this Senate be allowed the small sum of twenty-five cents extra per day from the beginning of this session.

DANIEL PAUL,

THOS. J. MILLER.

The resolution was adopted.

WHEREAS, The clerks of the Senate, the sergeant-at-arms, the janitor, door keepers and the night watchman and the postmaster have devoted their entire attention to the duties imposed upon them by the Senate, and have in all things faithfully performed their duties as such employes, and have worked at all hours of the day and night, cheerfully: Therefore, be it

Resolved by the Senate, That each of the clerks and employes above mentioned be allowed additional salary to the extent of one-fourth of that heretofore allowed them, and that the secretary and president of the Senate be and they are hereby directed and authorized to draw warrants for the amount due each.

The resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1899.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House bill No. 472.

The House has concurred in the amendments made by the Free Conference Committee to House bill No. 452, with the following amendment: Amend title as follows: "Making an appropriation for deficiency in the maintenance fund of the Western Washington Hospital."

W. F. DILLON, Chief Clerk.

The Senate concurred in the above amendment by the following vote: Yeas 27, nays none, absent or not voting 7.

Those voting yea were: Senators Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, Mantz, McReavy, Megler, Miller David, Miller T. J., Plummer, Preston, Runner, Schofield, Van Patten, Wilshire, Wooding, and Yeend — 27.

Nays: None.

Absent or not voting: Senators Andrews, Clapp, Keith, LeCrone, Paul, Reinhart, and Warburton — 7.

The following Senate concurrent resolution No. 18 was offered by Senators Plummer and McReavy:

WHEREAS, The Legislature of the State of Washington, during its sixth Legislative session, has this day been informed of the death of the Honorable J. C. Horr, a Senator of the third and fourth Legislatures of the State of Washington, therefore be it

Resolved, That the Senate of the State of Washington, the House concurring, sincerely regrets the untimely removal from our midst by an all-wise providence, of our brother legislator, the Honorable J. C. Horr, an excellent citizen and prominent statesman of the State of Washington. Senator Horr was a man devoted to the best interests of the State of Washington, always ready and willing to aid by every possible method and means the people of the state in the upbuilding and development of our commonwealth, and his sudden demise is an irreparable loss, both to the state and its citizens.

Be it further resolved, That a copy of these resolutions be spread upon the minutes of the Senate and House, given to the press for publication, and an enrolled copy sent to the bereaved family of the deceased.

W. H. PLUMMER,
JOHN MCREAVY.

The resolution was unanimously adopted by a rising vote.

REPORT OF FREE CONFERENCE COMMITTEE ON APPROPRIATION BILL.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1899.

MR PRESIDENT:

We, your Committee on Free Conference, to whom was referred House bill 452, entitled "An act making appropriation for sundry civil expenses of the state government for the fiscal term beginning April 1, 1899, and ending March 31, 1901, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the following bill be substituted and pass.

Respectfully submitted. AUGUSTUS HIGH, Chairman.

We concur in this report: D. E. Biggs, W. E. Runner.

The report was adopted.

On motion of Senator T. J. Miller the Senate resolved itself into committee of the whole for the consideration of the free conference committee's substitute bill for House bill No. 452, relating to appropriations for sundry civil service expenses, Senator Mantz in the chair. The committee arose and reported back that the bill do pass.

The report was adopted.

The bill was read the third time, placed on final passage and passed by the following vote: Yeas 28, nays none, absent or not voting 6.

Those voting yea were: Senators Andrews, Baker, Baum, Biggs, Carper, Cole, Crow, Davis, Hall, Hamilton, Hammer, Hemrich, High, Hill, Land, McReavy, Megler, Miller David, Miller T. J., Paul, Plummer, Preston, Runner, Schofield, Van Patten, Warburton, Wooding, and Yeend — 28.

Nays: None.

Absent or not voting: Senators Clapp, Keith, LeCrone, Mantz, Reinhart, and Wilshire — 6.

On motion of Senator Crow, the title was amended by adding thereto: "And making an appropriation for deficiency in the maintenance fund of the Western Washington Hospital for the Insane."

On motion of Senator T. J. Miller, all bills not acted upon were indefinitely postponed.

On motion of Senator Plummer, the Senate clock was presented to Senator T. J. Miller.

On motion of Senator Megler, a committee, consisting of Sen-

ators Carper, Hemrich and Paul, was appointed to notify the Governor that the Legislature was about to adjourn, and was ready to receive any communications he might desire to make.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, March 9, 1899.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 452, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term ending March 31, 1901."

Also, Senate concurrent resolution No. 18, relating to the death of Ex-Senator J. C. Horr.

And the same are transmitted herewith to the Senate.

W. F. DILLON, Chief Clerk.

The president signed House bill No. 452.

The committee appointed to wait upon the Governor returned, accompanied by the Governor's private secretary, who stated that the Governor had no further communications to make.

The Committee on Enrolled Bills submitted as its final report that all bills referred to it had been properly enrolled, and reported back to the Senate, and that all enrolled bills had been delivered to the Governor, who had properly receipted for them.

The president appointed Senators Biggs, Megler and Land as a committee to notify the House that the Senate was ready to adjourn.

On motion of Senator Megler, the journal was considered read and approved.

On motion of Senator Biggs, at 11:58 o'clock P. M., the Sixth Senate of the State of Washington adjourned *sine die*.

DUDLEY ESHELMAN,
Secretary of the Senate.

THURSTON DANIELS,
President of the Senate.

OFFICIAL DIRECTORY.

STATE OFFICERS.

Governor.....	JOHN R. ROGERS.....	Puyallup.
Private Secretary.....	J. H. PELLETIER.....	Tacoma.
Lieutenant-Governor.....	THURSTON DANIELS.....	Vancouver.
Secretary of State.....	WILL D. JENKINS.....	New Whatcom.
Chief Deputy.....	HORATIO ALLING.....	New Whatcom.
Deputy Insurance Commissioner.....	C. G. HEIFNER.....	Seattle.
Treasurer.....	C. W. YOUNG.....	Pullman.
Chief Deputy.....	C. W. BOWNE.....	Spokane.
Auditor.....	NEAL CHEETHAM.....	Garfield.
Chief Deputy.....	D. B. GARRISON.....	Colfax.
Attorney General.....	P. H. WINSTON.....	Spokane.
Assistant Attorney General.....	T. M. VANCE.....	North Yakima.
Superintendent of Public Instruction.....	FRANK J. BROWNE.....	Columbia.
Dep. Superintendent Public Instruction.....	L. H. LEACH.....	Vancouver.
Commissioner Public Lands.....	ROBERT BRIDGES.....	Seattle.
Chief Deputy.....	LEE MELLUER.....	Seattle.
State Printer.....	GWIN HICKS.....	Olympia.
Chief Deputy.....	A. L. SUTTON.....	Tacoma.
State Librarian.....	HERBERT BASHFORD.....	Tacoma.
Assistant State Librarian.....	B. M. PRICE.....	Olympia.
Adjutant General N. G. W.....	E. H. FOX.....	Tekoa.
State Inspector of Coal Mines.....	C. F. OWEN.....	Tacoma.
Sec. State Board of Public Institutions.....	ERNEST LISTER.....	Tacoma.
State Grain Inspector.....	GEO. P. WRIGHT.....	Dayton.
Chief Deputy.....	CHAS. GRINNELL.....	Tacoma.
Commissioner of Labor.....	W. P. C. ADAMS.....	Whatcom.
State Fish Commissioner.....	A. C. LITTLE.....	Aberdeen.
State Dairy Commissioner.....	E. A. McDONALD.....	Tacoma.
Commissioner of Horticulture.....	J. E. BAKER.....	Tacoma.
Commissioner of Arid Lands.....	O. R. HOLCOMB.....	Ritzville.
Inspector Factories and Railroads.....	WM. BLACKMAN.....	Olympia.

SUPREME COURT.

Chief Justice.....	M. J. GORDON.....	Olympia.	Elected 1894.
Associate Judge.....	T. J. ANDERS.....	Walla Walla.	Elected 1898.
Associate Judge.....	R. O. DUNBAR.....	Goldendale.	Elected 1894.
Associate Judge.....	JAS. B. REAVIS.....	N. Yakima.	Elected 1896.
Associate Judge.....	MARK A. FULLERTON.....	Colfax.	Elected 1898.
Clerk Supreme Court.....	C. S. REINHART.....	Olympia.	
Reporter.....	E. G. KREIDER.....	Olympia.	

GROUPING OF SENATE STANDING COMMITTEES.

- GROUP 1:** Judiciary.
- GROUP 2:** Revenue and Taxation.
Library.
- GROUP 3:** Appropriations.
Fisheries.
- GROUP 4:** Education.
Irrigation and Arid Lands.
Printing.
- GROUP 5:** Railroads and Transportation.
- GROUP 6:** Corporations other than Municipal.
Dikes and Drainage.
- GROUP 7:** Commerce.
Constitution and Constitutional Revision.
Harbors and Harbor Lines.
- GROUP 8:** Municipal Corporations.
Medicine and Surgery.
Rules and Joint Rules.
- GROUP 9:** Claims and Auditing.
Labor and Labor Statistics.
Public Morals.
Educational Institutions.
- GROUP 10:** Elections and Privileges.
Senate Employes other than Regular.
Salaries and Mileage.
Enrolled Bills.
- GROUP 11:** Mines and Mining.
Roads and Bridges.
State, Granted and School Lands.
- GROUP 12:** State Charitable Institutions.
Public Buildings and Grounds.
Manufactures.
- GROUP 13:** Counties and County Boundaries.
Agriculture.
- GROUP 14:** Military.
Memorials.
- GROUP 15:** State Penal and Reformatory Institutions.

LIST OF MEMBERS OF THE SENATE OF THE STATE OF WASHINGTON FOR THE YEAR 1899, WITH
POLITICS, OCCUPATION, RESIDENCE AND P. O. ADDRESS OF EACH.

Hon. THURSTON DANIELS, Lieutenant Governor and President of the Senate, Vancouver.

No. Dist.	Name of Senator.	Politics.	Occupation.	Counties represented.	Postoffice address.
1....	F. M. BAUM	Democrat.....	Mining man.....	{ Okanogan.....	Alma.
2....	C. A. MANTZ.....	People's Party.....	Lawyer.....	{ Lincoln.....	Colville.
3....	W. H. PLUMMER.....	Democrat.....	Lawyer.....	{ Stevens.....	204 Indiana Ave., Spokane.
4....	HERMAN D. CROW	Republican.....	Lawyer.....	{ Spokane.....	E. 223 N'th Ave., Spokane.
5....	W. E. RUNNER.....	People's Party.....	Farmer.....	{ Spokane.....	Spokane.
6....	JOHN H. CABPER	People's Party.....	Physician.....	{ Whitman.....	Farmington.
7....	OLIVER HALL.....	Republican.....	Undertaker	{ Whitman.....	Colfax.
8....	J. C. VAN PATTEN.....	People's Party.....	Minister.....	{ Asotin.....	Dayton.
9....	JOHN I. YEEND	People's Party.....	Farmer	{ Garfield.....	Walla Walla.
10....	DAVID MILLER.....	Democrat.....	Farmer.....	{ Columbia.....	Walla Walla.
11....	DANIEL PAUL.....	Democrat.....	Stockman	{ Walla Walla.....	Coulee City.
12....	GEORGE H. BAKER	Republican	Merchant.....	{ Adams.....	Goldendale.
13....	AUGUSTUS HIGH.....	Democrat.....	Fruit grower.....	{ Franklin.....	Vancouver.
14....	J. G. MEGLER	Republican	Canneryman	{ Walla Walla.....	Brookfield.
15....	JOSEPH HILL.....	People's Party.....	Farmer.....	{ Kittitas.....	Silver Creek.
16....	GEORGE D. SCHOFIELD	Republican	Lawyer	{ Douglas.....	Montesano.
17....	JOHN MCREAVY.....	Democrat.....	Lumber manufact'r.....	{ Klickitat.....	Union.
18....	THOMAS J. MILLER.....	People's Party.....	Farmer.....	{ Yakima.....	Olympia.
19....	E. C. KEITH.....	People's Party.....	Miner.....	{ Clarke.....	Buckley.
20....	ED. S. HAMILTON.....	Republican	Stevedore.....	{ Skamania.....	310 North E, Tacoma.
21....	STANTON WARBURTON	Republican	Lawyer	{ Wahkiakum.....	Tacoma.
22....	J. A. COLE.....	People's Party.....	Printer	{ Cowlitz.....	1634 E street, Tacoma.
23....	S. M. LECRONE.....	Republican	Druggist.....	{ Pacific.....	1402 J street, Tacoma.
				{ Lewis.....	
				{ Chehalis.....	
				{ Kitsap.....	
				{ Mason.....	
				{ Island.....	
				{ Thurston.....	
				{ Pierce.....	
				{ Pierce.....	
				{ Pierce.....	
				{ Pierce.....	
				{ Pierce.....	

LIST OF MEMBERS OF THE SENATE—CONCLUDED.

No. Dist.	Name of Senator.	Politics.	Occupation.	Counties represented.	Postoffice address.
24.....	JOHN WOODING..	Republican	Farmer	King	Auburn.
25.....	ANDREW HENRICH	Republican	Manufacturer.	King	Grant street, Seattle.
26.....	HAROLD PRESTON..	Republican	Lawyer	King	712 35th Ave., Seattle.
27.....	W. W. WILSHIRE	Republican	Lawyer	King	717 N. Y. Blk., Seattle.
28.....	L. B. ANDREWS..	Republican	Retired.	King	717 Stewart St., Seattle.
29.....	PAUL LAND.....	People's Party.	Iron Moulder	King	Fremont.
30.....	C. F. CLAPP	Republican	Retired.	(Jefferson	Port Townsend.
31.....	J. A. DAVIS.....	People's Party.	Farmer	(Clallam	Everett.
32.....	E. HAMMER.....	Republican	Merchant	(Snohomish	Wolley.
33.....	S. D. REINHART	People's Party.	Farmer.	(Skagit	Laurel.
34.....	D. E. BIGGS	Democrat.....	Physician.....	(San Juan	Whatcom.
				(Whatcom	

PREVIOUS SERVICE IN THE LEGISLATURE OF MEMBERS OF SENATE
OF 1899.

<i>Name.</i>	<i>Senate.</i>	<i>House.</i>
Andrews, L. B.....		1866-67, 1890-91.
Baker, George H.....		1897.
Baum, Frank M.....	1897.....	1895.
Biggs, D. E.....		1895.
Carper, John H.....		
Clapp, C. F.....		1897.
Cole, J. A.....	1897.....	
Crow, Herman D.....		
Davis, J. A.....	1897.....	
Hall, Oliver.....	1895, 1877.....	
Hamilton, Ed. S.....		
Hammer, E.....		
Hemrich, Andrew.....		
High, Augustus.....	1897.....	
Hill, Joseph.....	1897.....	
Keith, E. C.....	1897.....	
Land, Paul.....		1897.
LeCrone, S. M.....		
Mantz, C. A.....		
McReavy, John.....	1870, 1885, Territorial council; 1897..	1869, 1877, 1889.
Megler, J. G.....	1895, 1897.....	1889, 1890.
Miller, David.....	1893, 1895, 1897.....	
Miller, T. J.....	1897.....	
Paul, Daniel.....	1897.....	
Plummer, W. H.....	1897.....	
Preston, Harold.....		
Reinhart, S. D.....	1897.....	
Runner, W. E.....	1897.....	1895.
Schofield, George D.....		
Van Patten, J. C.....	1897.....	
Warburton, Stanton.....	1897.....	
Wilshire, W. W.....		
Wooding, John.....	1895, 1897.....	
Yeend, John I.....	1897.....	

SENATE EMPLOYES.

<i>Names.</i>	<i>Title.</i>	<i>Residence.</i>	<i>Per diem.</i>
DUDLEY ESHELMAN	Secretary	Tacoma	\$5 00
HERBERT N. DEWOLFE.....	Assist. secretary	Tacoma.....	4 50
EDWARD WHEELER.....	Sergeant-at-arms.....	Seattle.....	5 00
LEE SMITH.....	Assist. sergeant-at-arms..	Fremont	4 00
M. J. MCGUINNESS.....	Minute clerk.....	Snohomish	4 00
J. D. HANNEGAN.....	Journal clerk.....	Hannegan's Pass.....	4 00
MRS. CLARA CLAYTON.....	Assist. journal clerk.....	Seattle.....	4 00
MISS KATHERINE BAXTER..	Enrolling clerk.....	Seattle.....	4 00
S. L. ALEXANDER.....	Assist. enrolling clerk.....	Cheney.....	4 00
EVA CONNICK.....	Engrossing clerk	Tacoma.....	4 00
JOHN F. BEALS.....	Bill clerk.....	Tacoma.....	4 00
B. F. DAY.....	Assist. bill clerk.....	Sumner	4 00
CLEMENT D. HELLYER.....	Postmaster	Ellensburg	4 00
MISS EVA NETHERY.....	Stenographer.....	Montesano.....	4 00
OSCAR INGRAM.....	Stenographer.....	Walla Walla.....	4 00
ROBERT SWAN	Janitor.....	Olympia.....	4 00
L. N. BRIDGES.....	Night watchman.....	Chehalis	4 00
BENJ. WOLFE.....	Doorkeeper.....	Walla Walla.....	4 50
CHARLES S. RYAN	Asst. doorkeeper, janitor..	Spokane	4 00
ETHEL M. HUNTER	Docket clerk.....	Ilwaco	4 00
WILLIS RAND.....	Page	Olympia.....	2 00
RALEIGH GEORGE.....	Page	Olympia.....	2 00
HAL. PORTER.....	Assist. engrossing clerk...	Everett	4 00

COMMITTEE CLERKS.

<i>Name.</i>	<i>Group.</i>	<i>Residence.</i>	<i>Per diem.</i>
HELEN SLEE.....	Group 1	Spokane.....	\$4 50
GENEVIEVE FOREST	Group 2	Seattle.....	4 00
JAMES MILLER.....	Group 3	Aberdeen	4 00
JOHN N. JANEWAY.....	Group 4	Colfax.....	4 00
EDWARD JOHNSON.....	Group 5	Waterville	4 00
HANNAH O'TOOLE.....	Group 6	Burlington	4 00
E. J. DELBRIDGE.....	Group 7	Seattle.....	4 00
E. C. MCREAVY.....	Group 8	Union City	4 00
H. L. BOWMER.....	Group 9	Mount Vernon.....	4 00
J. H. BROWN.....	Group 10	Spokane	4 00
H. G. ANDERSON.....	Group 11	Davenport.....	4 00
THOMAS SAMMONS.....	Group 12	Tacoma	4 00
M. E. MILLER.....	Group 13	Goldendale.....	4 00
JANE REIS.....	Group 14	Seattle.....	4 00
J. P. DE MATTOS.....	Group 15	New Whatcom.....	4 00
FRANK PIERCE.....	Index clerk	Seattle.....	5 00

ERRATA.

- Page 189: House "memorial" No. 12 should read *resolution* .
Page 278: House bill "226" should read 236.
Page 279: Senate bill "169" should read 159.
Page 280: Senate joint resolution No. "11" should read 12.
Page 343: Senate memorial No. "6" should read 7.
Page 441: Senate bill No. "320" should read 230.
Page 467: House bill "268" should read 363.
Page 531: Senate bill "259" should read 249.
Page 550: "House" bill 130 should read *Senate*.
Page 550: House bill "518" should read 508.
Page 591: "Senate" bill 272 should read *House*.
Page 596: "Senate" bill 248 should read *House*.
Page 597: "Senate" bill 248 should read *House*.
Page 619: Senate bill "26" should read 96.
Page 629: House bill "560" should read 516.
Page 682: "House" bill 245 should read *Senate*.
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**TITLE AND HISTORY OF SENATE AND HOUSE BILLS,
RESOLUTIONS, MEMORIALS, ETC.,
AND
PERSONAL AND SUBJECT INDEXES.**

TITLE AND HISTORY OF SENATE BILLS.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate ..	Signed by Speaker of House.....	Approved and signed by the Governor.....
1. Senator PLUMMER: An act appropriating the sum of sixty thousand dollars for the expenses of the sixth legislature.....	8	8 } 52 }	8	9 } 16 }	8	16	53		80
2. Senator T. J. MILLER: An act making an appropriation for the office of the Commissioner of Public Lands.....									
3. Senator PLUMMER: An act appropriating the sum of twelve thousand five hundred dollars out of the capitol building fund for the relief of Moffatt Bros.....	34	98 } 98 } 256 }		83 } 98 } 189 } 296 }	98	289	300	314	342
4. Senator PLUMMER: An act to amend section 1 of an act entitled "An act providing for a state wagon road, beginning at a point on the Columbia river opposite the town of Marcus, Stevens county, thence following the state road as near as practicable as at present laid out to a point on the east bank of the McIlhoi river opposite the mouth of the Lewis river; thence over and across the summit of the Cascade mountains on the line already laid out and established to a point on the west bank of the Shug river, and connecting with the present county road at or near Marble Mountain, Shug county," and making an appropriation therefor; and declaring an emergency, approved March 16, 1897 and being section 1, chapter 101 of the Session Laws of 1897; providing for the alteration and extension of the route of the state wagon road established by said act and the improvement of said road, making an appropriation therefor and declaring an emergency.....	35	95 } 98 }		98	98				
5. Senator BAUM: An act providing for the constitutional amendment conferring power upon the Legislature to exempt certain property from taxation.....	36	319 } 354 } 700 }	448		449	652 } 653 }	700	664	
6. Senator McRAAVY: An act providing for fish hatchery on the Skokomish river, Mason county.....	36	379 } 420 } 423 }	420	419	432				

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7. Senator MANTZ: An act for protection against the spread of Canadian and Russian thistles and for the destruction of the same, and for the payment of costs for destroying the same..... 36 { 280 } 544 { 511 } 545 { 556 } 688
8. Senator COLE: An act to regulate the transportation of bicycles, and declaring an emergency..... 36 { 272 } 420 { 431 } 613
9. Senator McGUIRE: An act to establish a fish hatchery on the waters of Willapa Harbor and making an appropriation for same..... 36 { 378 } 420 { 431 } 613
10. Senator COLE: An act to amend an act entitled "An act for the protection of game animals and birds, and song birds, and to define and punish as misdemeanors all violations thereof, vesting the county courts with authority to appoint game wardens, defining their duties, fixing their compensation and defining the duties of certain county, precinct and municipal police officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271, 272 of the Penal Code of the State of Washington," approved March 11, 1876..... 36 { 159 } 161 { 177 } 172 { 183 } 224 { 224 } 549
11. Senator T. J. MILLER: An act relating to competency of jurors..... 37 { 172 } 170 { 172 } 512 { 527 } 549
12. Senator PLUMMER: An act appropriating money for postage and incidentals and for clerical assistance in the office of the Secretary of State..... 37 { 96 } 98 { 98 } 289 { 314 } 342
13. Senator McGUIRE: An act to establish an experiment station for the propagation of eastern oysters in the waters of Willapa harbor and making an appropriation therefor..... 37 { 167 } 210 { 210 } 512 { 537 } 607
14. Senator COLE: An act fixing maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof..... 37 { 387 } 387 { 529 } 529
15. Senator COLE: An act to amend section 1 of the Penal Code of the State of Washington, as compiled by W. L. Hill, defining the crime of murder in the first degree and fixing the punishment therefor, and declaring an emergency..... 37 { 269 } 328 { 328 } 362
16. Senator COLE: An act providing a penalty for any citizen of the State of Washington, who accepts or uses a pass, or who purchases transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and providing a penalty for railroad or other corporations who issue transportation or a pass to any citizen of the State of Washington, other than as the same is sold or issued to the general public..... 38 { 272 } 278 { 278 }

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred....	Report of Committee.....	Third reading and amendments	Other action in Senate.....	Vote on final passage	Report from House.....	Signed by President of Senate ..	Signed by Speaker of House.....	Approved and signed by the Governor
17. Senator BIGGS: An act entitled an act to appropriate for the support of fire departments for each city, town or village in the State of Washington, a part of the premiums received by fire insurance companies in any such city, town or village.....	38	{ 424 / 539 } 653	529		553	619			.
18. Senator BIGGS: An act providing for an amendment to the constitution of the State of Washington, exempting personal property from taxation.....	38	318	{ 361 / 446 }						
19. Senator HEMRICH: An act requiring horseshoers to pass civil service examination.....	49	{ 108 / 123 } { 126 / 167 }	{ 116 / 147 }	{ 116 / 123 } { 147 / 162 } { 177 / 197 }	{ 147 / 197 }				
20. Senator DAVIS: An act to establish and maintain a fish hatchery on the Snohomish river or one of its tributaries, and appropriating funds therefor.....	49	{ 379 / 420 } 422	420	419	432	613			
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23. Senator YEEND: An act making appropriation to the State Penitentiary, and declaring an emergency.....	50	105		105	105	324	332	329	342
24. Senator YEEND: An act making appropriation from the revolving fund of the State Penitentiary, and declaring an emergency.....	50	{ 78 / 105 }		105	105	324	332	329	342
25. Senator BAKER: An act providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from Lyle, in Klickitat county, Washington, to Washougal, in Clarke county, Washington, creating a commission therefor, defining their duties, making an appropriation therefor, and declaring an emergency..	50	140	256	151	250				

26.	Senator LeCRONE: An act authorizing the incorporation of banks of discount and deposit, to be known as state banks, trust companies and savings banks, regulating their conduct to the public, creating a board of bank commissioners, defining their powers and duties and fixing their compensation.....	50					
27.	Senator CROW: An act authorizing the issuance and sale of bonds, by cities, to pay for local improvements, providing for the payment thereof, repealing an act entitled "An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefitted by local improvements, and declaring an emergency," approved March 9, 1893, and declaring an emergency.....	50	211 242 291 593 608	235	546	283 292 593	421 608 619
28.	Senator HAMMER: An act to regulate the practice of barbering, the licensing of persons to carry on such practice and to insure the better education of such practitioners in the State of Washington.....	51	213 281	263	155	224	
29.	Senator MEGLER: An act to provide for the establishment of a state road from Montesano, Chehalis county, by way of North River valley, Willapa, South Bend, Nehalem river, Nasel river and Gray's River valleys, to a point on the Columbia river at Brookfield, Wahkiakum county, and making an appropriation therefor.....	51	139 254	256	157 254	256	
30.	Senator BIGGS: An act to establish and maintain a fish hatchery on the Nooksack river or one of its tributaries, and appropriating funds therefor.....	51	880 420 422	420	419	483	613
31.	Senator RUNNER: An act to establish and maintain a fish hatchery on the Little Spokane river or one of its tributaries, and appropriating funds therefor.....	51					
32.	Senator LAND: An act to establish and maintain a fish hatchery on the White river or one of its tributaries, and appropriating funds therefor.....	51					
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35.	Senator HILL: An act to provide for submitting an amendment to section 1, article 23, of the Constitution, relating to the manner of submitting constitutional amendments.....	69					
36.	Senator CLAPP: An act providing that in counties having a population less than ten thousand, the sheriff shall be <i>ex officio</i> the assessor of such counties, and providing for his compensation.....	69	336				524

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Other action in Senate.....	Vote on final passage	Report from House.....	Signed by President of Senate ..	Signed by Speaker of House.....	Approved and signed by the Governor
37. Senator HAMMER: An act to prohibit fishing between the North Fork of the Skagit river and Deception Pass	69								
38. Senator MANTZ: An act compelling steam railroads to fence their rights-of-way, and to protect the owners of stock injured by moving railroad trains, defining the law of negligence with regard to stock injured by railroad trains, and declaring an emergency.....	69								
39. Senator KEITH: An act amending sections 9 and 12 of an act entitled "An act providing for the survey and establishment of a state road, creating a commission, defining its duties, and making an appropriation therefor, and declaring an emergency," approved March 18, 1897.....	70	140	257	157	257				
40. Senator MANTZ: An act to provide for the election of road district supervisors.....	70	140							
41. Senator BAUM: An act to establish and maintain a fish hatchery on the Wenatchee river or one of its tributaries, and appropriating funds therefor.....	70	{ 380 } 420 { 422 }	420	419	438				
42. Senator BIGGS: An act making appropriations for equipping and improving the grounds and main entrance of the State Normal School at New Whatcom, and for the support, maintenance and development of the State Normal School at Ellensburg, and for the maintenance and improving of the grounds and repairing the State Normal School at Cheney.....	70	{ 97 } 126 { 142 { 349 }	138	{ 90 } 188 { 297 { 324 { 340 }	147	{ 289 } 299 { 304 { 340 }	849	357	
43. Senator KEITH: An act to provide for the better protection of the public health in the relation to the manufacture and sale of cigarettes, cigarette paper and cigarette wrappers, and providing penalties for the violation of the provisions thereof.....	70			121					

44. Senator ANDREWS: An act in regard to the dismissal of appeals by the Supreme Court, providing for the amendment of appellate proceedings, and requiring all cases appealed to be decided upon their merits... switches.....
45. Senator LAND: An act to provide for the better protection of railway
46. Senator KEITH: An act to provide for compensation allowed to guardians of the person and estate of idiots, insane and all persons who are incapable of conducting their own affairs.....
47. Senator VAN PATTEN: An act to amend Art. 7, Sec. 3466 of an act relating to damages by domestic animals, infectious diseases, etc. (Bal. Annotated Codes and Statutes of Washington. Session Laws of 1888).....
48. Senator HAMILTON: An act authorizing educational institutions of collegiate grade, incorporated under the laws of this state, under certain conditions, to issue diplomas having the same value as those issued by state normal schools, and defining the duties of the Superintendent of Public Instruction and his appointees thereto.....
49. Senator VAN PATTEN: An act to amend Art. 2, Sec. 3418 of an act entitled "An act relating to care of swine unlawfully at large..." (Bal. and Sec. 2430).....
50. Senator T. J. MILLER: An act to amend section 30 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted school, tide, oyster and other lands and harbor areas, and for the confirmation and completion of the several grants to the state by the United States, creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," being chapter 89, Session Laws of 1897.....
51. Senator BAUM: An act to establish and maintain a fish hatchery on the Methow river or one of its tributaries, and appropriating funds therefor.....
52. Senator LECHONG: An act authorizing and empowering cities of the first, second and third classes to regulate and license the riding of bicycles, tricycles and other like vehicles, and to construct, maintain and regulate the use of bicycle paths and roadways, and declaring an emergency.....

71	<div>268 377 586</div>	352		352	<div>362 512</div>	538	541	683
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71	<div>385 406</div>	402						
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TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred....	Report of Committee.....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.....	Signed by Speaker of House.....	Approved and signed by the Governor.....
53. Senator LECROUX: An act conferring power on cities of the first class to sprinkle streets, avenues, alleys, parks and other public grounds and charging the cost and expense thereof upon property benefited thereby.	81								
54. Senator McREAVY: An act making an appropriation to continue the operation of the state salmon hatcheries, and declaring an emergency.	81	122, 123		122	122	180	188	188	202
55. Senator WOODING: An act for the protection of hotels, boarding-houses, lodging-houses, etc.	82	409							
56. Senator WILSHIRE: An act to amend "An act authorizing cities, towns and counties to purchase, construct and maintain ferries," approved March 20, 1886.	82	408							
57. Senator PRESTON: An act to amend section 97 of an act known and cited as "Code of Public Instruction of the State of Washington," approved March 13, 1897, and permitting and authorizing the board of directors of school districts to expend for permanent improvements each year 25 per cent. of the yearly income of the district, and declaring an emergency.	82	287							
58. Senator PRESTON: An act to amend section 1 of an act entitled "An act to provide for the registration of voters in all school elections in school districts having a population of 10,000 or more inhabitants, and regulating elections in such districts," approved March 4, 1897.	82	579		185					
59. Senator PRESTON: An act to amend sections 4 and 15 of an act entitled "An act to provide for the registration of voters in all school elections in school districts having a population of 10,000 or more inhabitants, and regulating elections in such districts."	82	455							
60. Senator PRESTON: An act to provide for the adoption and use of schools text books in all school districts including or included within cities and towns maintaining high schools, and supplying free to their pupils text books and supplies.	83	885							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred....	Report of Committee.....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.....	Signed by Speaker of House.....	Approved and signed by the Governor.....
68. Senator WILSHIRE: An act relating to costs in civil actions in the Superior Court.....	88	211							
69. Senator T. J. MILLER: An act establishing the fiscal agency of the State of Washington in the City of New York.....	88		237						
70. Senator WILSHIRE: An act to amend an act entitled "An act in relation to recognizances, stipulations, bonds, and undertakings," approved March 17, 1897, and declaring an emergency.....	107	264 } 349 }	333	350 } 360 }	350				
71. Senator HALL: An act providing for the payment of various claims against the State of Washington, as evidenced by certificates of indebtedness, making appropriation therefor, and declaring an emergency.....	107	323 } 516 } 523 } 535 } 585 } 697 }	524	522	552	649	697	693	
72. Senator HALL: An act making an appropriation for the maintenance of grain inspection, and declaring an emergency.....	107	104 } 210 } 215 } 669 }	285	210 } 666 }	285	652	699	664	
73. Senator LAND: An act establishing a State Board of Inspectors of Steam Boilers, and for the examination and licensing of engineers.....	107	281	•	353					
74. Senator WILSHIRE: An act to provide county depositaries and regulate the deposit of public moneys therein, and declaring an emergency.....	107								
75. Senator HUGH: An act relating to the School for Defective Youth, and amending sections 2370, 2480 and 2540 of Ballinger's Annotated Statutes and Codes of the State of Washington.....	107	168 } 622 }	189	202 } 519 } 921 } 962 }	189	511	622	626	
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80.	Senator PRUMMER: An act providing a method for the payment and settlement of delinquent special street grade assessments in cities of the first class in the State of Washington.....	117	265	352	183	352	
81.	Senator SCHOFIELD: An act to amend sections 3 and 4 of an act entitled "An act relating to county boundaries," approved March 15, 1887, the same being sections 3 and 4 of chapter LXXVI of the Session Laws of 1887.....	117	$\left\{ \begin{array}{l} 266 \\ 362 \end{array} \right\}$	358		375	
82.	Senator MAYNIZ: An act to amend section 5 of an act entitled "An act to prescribe the term of senators and representatives of the House of Representatives of the Legislature of the State of Washington, to provide for the election of the same, for the apportionment of the State into senatorial and representative districts, and declaring an emergency," the same being passed by the Legislature on the 11th day of September, 1886, Laws 1886, the same being section 4, chapter 1, title 2 of Volume 1 of Hill's Annotated Statutes and Codes of Washington.....	117	456				
83.	Senator PRESTON: An act to establish an industrial home for the blind, making an appropriation therefor, and declaring an emergency.....	118	$\left\{ \begin{array}{l} 303 \\ 360 \\ 377 \end{array} \right\}$	$\left\{ \begin{array}{l} 359 \\ 360 \\ 671 \end{array} \right\}$		376	$\left\{ \begin{array}{l} 619 \\ 626 \end{array} \right\}$
84.	Senator WAHRURTON: An act for the relief of Capt. James Ross, and declaring an emergency.....	129	214				
85.	Senator MANTZ: An act appropriating money for the purpose of building and maintaining a fish ladder over Meyer's Falls on the Colville river in Stevens county.....	130	$\left\{ \begin{array}{l} 621 \\ 622 \\ 628 \end{array} \right\}$	$\left\{ \begin{array}{l} 621 \\ 621 \\ 631 \end{array} \right\}$		631	
86.	Senator HAMILTON: An act making appropriation for the payment of judgment against the state for salaries to certain officers.....	130	238				
87.	Senator T. J. MILLER: An act concerning the descent of real and personal property, and amending sections 1480, 1485 of volume 1 of Hill's Annotated Statutes and Codes of Washington.....	130	290				

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NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Other action in Senate.....	Vote on final passage	Report from House.....	Signed by President of Senate ..	Signed by Speaker of House.....	Approved and signed by the Governor
88. Senator SCHOFIELD (by request): An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electrical current, or appurtenances or appliances connected therewith; to remove, injure or destroy any house, shop, building or other structure or machinery connected therewith, or to set any fire that shall result in such injury or destruction, or to prevent the removal of any obstruction to such lines, and prescribing the punishment therefor.....	130								
89. Senator CLAPP: An act relating to penalty and interest on state, county and municipal taxes which become due and payable prior to January 1, 1899, and where the property has not been sold to third parties, and declaring an emergency.....	130	513							
90. Senator T. J. MILLER: An act to provide against the adulteration of food, and providing a penalty for the violation thereof.....	131	513							
91. Senator KEITH: An act providing for the construction of fire escapes on buildings of over two stories in height, and providing a punishment for the violation thereof	131	407							
92. Senator PRESTON: An act providing for the levying and collecting of an annual tax for a general road and bridge fund in the several counties of the state, directing the manner of expenditure thereof, and repealing all acts and parts of acts inconsistent herewith.....	131								
93. Senator PLUMMER: An act changing the name of Hangman creek, in Spokane county, to Latah creek.....	131	271 } 700 }	353		353	454	665	700	680
94. Senator LECRONE: An act providing for liens upon horses and other animals for the cost of shoeing the same	146			193					
95. Senator HILL: An act to provide for the establishment of a state road from Cora or Sulphur Springs, Lewis county, by way of the Cowlitz pass to a point on the Natchez river connecting with the wagon road at or near Cowiche, in Yakima county.....	146	166 } 255 }	257	254	257				

96. Senator HALL: An act making appropriations for certain deficiencies of previous fiscal terms and for other purposes.....	146	282 322 389 613			855 376	597	613	619
97. Senator KEITH: An act to provide for the payment of taxes for the owners of sleeping cars, drawing room cars, and parlor cars.....	146	436						
98. Senator PAGERSON: An act to provide for the incorporation and to regulate the business of corparative mining companies.....	150	425 589		529		555	665	
99. Senator T. J. MILLER: An act for expediting the completion of the state capitol building and for the reduction of the cost thereof by changing the original plans, providing for payment of interest, and making an appropriation therefor.....	151	201 205 206 216	205 219 208			219		
100. Senator CROW: An act to adopt Ballinger's Annotated Statutes and Codes of the State of Washington as the official code of this state, and declaring an emergency.....	151	213 699	218	670		218	652	698
101. Senator LEITCH: An act relating to drugs and medicines, the licensing of persons to compound dispense, buy, and sell the same in the State of Washington, defining crimes and misdemeanors and prescribing penalties in cases of violation thereof, repealing chapter 133 of the Session Laws of 1891 of Washington, being entitled "An act to regulate the practice of pharmacy, the licensing of persons to carry on such practice and the sale of poisons in the State of Washington," approved March 9, 1891, and also repealing chapter 113 of the Session Laws of 1893 of Washington, being entitled "An act to amend," etc.....	151	339 423 702	403	673	430	652	702	683
102. Senator COLK (by request): An act for the appropriation of money to defray the expenses of public printing.....	165	183 590		196 205 581	205	572	590	592
103. Senator HIGH (by request): An act governing the instruction of jurors by the judges of the superior courts of the State of Washington.....	165	271	358	358				
104. Senator MILLER: An act to amend an act entitled "An act relating to the maintenance, repairs and renewals of sidewalks, in cities of the first, second and third classes and providing payment therefor by owners of abutting property, declaring an emergency," approved March 21, 1895.....	165	227 242	235	519	203	512	554	559
105. Senator HIGH: An act concerning the Washington School for Defective Youth, providing for constructing a sewer and supplying water to said institution and the right to condemn a right-of-way for said purpose, making an appropriation therefor, and declaring an emergency.....	165	195 206 307 342		206 519	208	512	545	556
106. Senator BRIGGS: An act relating to foreign corporations and imposing a penalty and repealing conflicting laws.....	165	384 453 700	434		441	680	700	680

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NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.....	Signed by Speaker of House.....	Approved and signed by the Governor.....
107. Senator HEMMICH: An act appropriating seven thousand, four hundred dollars for the relief of W. E. Boone for balance due for preparing plans and specifications for the main University building of the State of Washington.....	166	362							549
108. Senator PRESTON (by request): An act for the reformation of criminals and providing for employment of those leaving the prison of the State of Washington, and the granting of paroles to prisoners.....	169	282 338 320 556	333	356 404 506	356 404	484 512	522	522	
109. Senator MANTZ: An act amending an act entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," approved March 21, 1896, and repealing section 1438 of volume 1 of William L. Orr, Hall's General Statutes and Codes of the State of Washington, in relation to the organization of educational, religious and benevolent corporations, together with an act amendatory thereof entitled "An act in relation to corporations," and to amend section 2440 of the Code of Washington of 1881, the same being section 1438 of volume 1 of Hall's Annotated Statutes and Codes of Washington," approved March 20, 1896, and declaring an emergency.....	169								
110. Senator LAND: An act in relation to legal holidays.....	169	269							
111. Senator MANTZ: An act relating to fees to be collected by the Secretary of State and repealing an act entitled "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, and declaring an emergency," approved March 13, 1897, and declaring an emergency.....	169								
112. Senator WILKINS: An act to amend section 2 of an act entitled "An act relating to justices of the peace and constables in cities having more than 5,000 inhabitants, and fixing their number and salaries," approved March 13, 1897.....	176	461							

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113.	Senator KEITH: An act to regulate and establish rates of compensation for the carrying of freight or express matter by express companies doing business within this state, and fixing a penalty.....	187
114.	Senator PLUMMER: An act providing an additional judge for the superior court of the State of Washington in and for Spokane county, and for filling such office, and declaring an emergency.....	187 436
115.	Senator Cole: An act compelling persons, lessees or corporations operating coal mines to furnish timber to the workmen at the face of the drifts or rooms, and providing a penalty for violation thereof.....	188 { 330 / 618 {
116.	Senator LAND: An act creating and establishing municipal courts in cities of the State of Washington having more than 20,000 inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure, and providing judges and clerks therefor, repealing all laws in conflict with this act, and declaring an emergency.....	188 605 625
117.	Senator MEGLER: An act making an appropriation for the relief of H. S. Elliott, judge of the superior court of Lewis, Pacific and Wahkiakum counties.....	188
118.	Senator BAKER: An act in relation to real property mortgages, directing the manner of foreclosure and redemption from sale under foreclosure, and defining the rights of the parties thereto.....	196 232
119.	Senator HILL: An act relating to negligence.....	196
120.	Senator KEITH: An act regarding the liability of railroad corporations for injury sustained by employees thereof.....	202 335
121.	Senator LECRONE (by request): An act to amend sections 6 and 14 of an act entitled "An act to provide for the manner of commencing civil actions in the superior courts and bring the same to trial," approved March 15th, 1893, the same being sections 6 and 14 of Chapter CXXVII of the Session Laws of 1893, page 407.....	203 { 271 / 271 {
122.	Senator DAVIS: An act regulating charges of telegraph companies, and providing a penalty for its violation.....	203 291
123.	Senator PLUMMER: An act prohibiting the catching of any fish in any of the stocked lakes within the state, except with a hook and line, and providing a penalty for the violation thereof, and declaring an emergency.....	203
124.	Senator HAMMER: An act to establish the validity of the organization of municipal corporations incorporated under the existing laws of this state, and declaring an emergency.....	203 380
		203 { 378 / 700 {
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NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of Committee	Third reading and amendments	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate ..	Signed by Speaker of House.....	Approved and signed by the Governor
125. Senator PRESTON: An act providing for and regulating the selection of jurors in the superior courts of this state, and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be a contempt of court, and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict herewith.....	204	{ 459 618 621 }	604	615	{ 630 630 }				
126. Senator RUNNELL: An act to amend an act entitled "An act regulating common carriers, fixing maximum rates and freight rates in the State of Washington, prohibiting discrimination by railroad common carriers in the matter of such rates and of the facilities of shipment, and providing for the enforcement and observance of the rates so fixed, and of the regulations and prohibitions herein referred to, and providing a method of determining the reasonableness of such rates, and regulating them, and making an appropriation therefor," approved March 18th, 1897.....	204	{ 474 475 515 }	{ 478 520 559 }	{ 416 559 }	521				
127. Senator LeCHONE: An act repealing Chapter XXXV of the Session Laws of Washington for the year 1897, being an act entitled "An act providing for a uniform system of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state," and also providing for the completion of forms for all public blanks and providing for the procuring thereof.....	204	385	502	503	503				
128. Senator LAND: An act in regard to contracts affecting the liability of railroad companies for damages.....	204								
129. Senator HAMILTON: An act regulating the purchase of blank books, blank forms or other articles, and the expenditure of public money or funds therefor, and declaring an emergency.....	205								

130. Senator BAUM: An act providing for a state wagon road beginning at a point on the Columbia river, opposite the town of Kettle Falls, in Stevens county; thence following the road as surveyed by order of board of county commissioners of Stevens county, the survey of which is of record in the auditor's office of said Stevens county, as near as practicable to the town of Republic, in the Colville Indian Reservation, through Sherman pass; thence in a westerly direction to the Okanogan river at a point about one mile north and opposite the mouth of Johnson creek in Okanogan county; thence in a westerly direction along the state road as heretofore laid out and established from a point about three miles south of Best's ranch on Bonaparte creek to the east bank of the Methow river; thence across said Methow river at the most practicable bridge site near the mouth of the Twisp river; to be selected; thence in a westerly direction over the road already laid out and established across the Twisp pass to the bridge on Bridge creek, near the mouth of said creek; thence in a southeasterly direction to Stehekin landing at the mouth of the Stehekin river, at the head of Lake Chelan; thence from the bridge, near the mouth of Bridge creek, in a westerly direction over and across the summit of the Cascade mountains, as said road has heretofore been laid out and established, to a point on the Skagit river, opposite the town of Marble Mount, in Skagit county, making an appropriation therefor, creating a road commission, and declaring an emergency.....

131. Senator KEITH: An act licensing the use of all mechanical contrivances known as "nickel-in-the-slot" machines, and providing for the enforcement of this act.....

132. Senator HAMMER: An act providing for a public highway beginning at the western terminus of what is known as "Heart road," near Venturi, Okanogan county; thence westerly, following what is known as "Heart trail," over and across the Cascade range of mountains via Slate creek pass to a point on the north fork of the north fork of Slate creek, known as Vera Cruz, in Whatcom county; thence westerly, following its early tributaries, and Canyon creek, the valleys of Slate creek and its county where Ruby creek joins the Skagit river, and thence south-easterly following as nearly as may be the existing trail down the Skagit river valley to a connection with the present wagon road near Marble Mount, in Skagit county; providing for a commission to lay out and construct the same, and making an appropriation therefor.....

133. Senator CROW: An act to prevent the removal of fixtures or permanent improvements from real estate which is subject to mortgage or other liens, without the consent of the owner or holder of such liens, and providing a penalty for the violation thereof.....

220	{ 250 253 550 }	257	{ 253 463 530 }	258	462	550	560
220	384						
221	{ 251 253 }	259	253	259			
221	{ 365 455 699 }	452		463	652	699	692

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NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Other action in Senate.....	Vote on final passage	Report from House.....	Signed by President of Senate ..	Signed by Speaker of House.....	Approved and signed by the Governor
134. Senator CROW: An act repealing an act entitled "An act granting to judgment debtors the right of possession, rents, issues and profits of real estate and premises sold under execution, during the period of redemption, and declaring an emergency".....	221	562		648					
135. Senator CROW: An act repealing an act entitled "An act relating to deficiency judgments," passed March 10, 1897, and declaring an emergency.	221	562							
136. Senator LAND: An act providing that before any corporation can reorganize under the laws of this state, all claims and judgments for wages or damages shall be first paid off and satisfied	225	281	358						
137. Senator MANTZ: An act to amend sections 68, 82 and 106 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington"	226	369							
138. Senator HIGH: An act for the relief of O. M. Hilden.....	236	321 { 699 }	356	355	355	381 { 652 }	699	664	
139. Senator PLUMMER: An act to amend section 4869 of Ballinger's Annotated Code of the State of Washington, and relating to the commencement of civil actions and the service of summons therein.....	236								
140. Senator BAUM: An act to provide for the establishment and maintenance of a state road from the town of Wenatchee, in Kittitas county, thence northerly along the west bank of the Columbia river by the bridge across the Wenatchee river (the same formerly being a ferry), to the mouth of, and across at the most practical bridge site, near the mouth thereof, of the mouth of the Methow river; thence northerly along the line of said river by the most practicable route to the mouth of the Twisp river in Okanogan county, making an appropriation therefor, creating a commission, and declaring an emergency.....	236	250 { 253 }	259	253	260				

141. Senator SCHOFIELD: An act to amend section 16 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890, and the same being section 508 of volume 1 of Hill's Code, and declaring an emergency.....
142. Senator KATH: An act for the relief of Horatio Alling, chief clerk in the office of Secretary of State, making an appropriation therefor, and declaring an emergency.....
143. Senator CLAPP: An act to establish a state road, commencing at Port Angeles, Clallam county and terminating at Hoquiam, Chehalis county, and making an appropriation therefor.....
144. Senator McREAVY: An act amending section 2808 of Vol. 1 of Hill's Annotated Statutes and Codes of Washington, concerning the regulating, restraining, licensing, or prohibiting the sale of intoxicating liquors.....
145. Senator WILSHIRE (by request): An act entitled an act to amend "An act entitled an act to amend an act entitled 'An act to amend sections 1436 and 1457, Hill's Annotated Code of Procedure of the State of Washington'.".....
146. Senator HAMMER (by request): An act to provide for the establishment and maintenance of a state wagon road from Bird's View, Skagit county, to Baker lake, in Whatcom county, following approximately the present trail; thence along the easterly shore of the lake to the easterly shore of Baker river flows into the lake; thence along the easterly shore of Baker river as far as may be practicable, and making an appropriation therefor.....
147. Senator PLUMMER: An act requiring all corporations, companies and persons owning, operating or controlling or hereafter owning, operating or controlling any electrical lines, wires or cables through or over which is or may be conducted electrical currents in excess of five hundred volts, to place all wires, lines, cables or other apparatus, over or through which said electric current is conducted, under the surface of the ground at a depth of not less than two feet and providing a penalty for the violation thereof.....
148. Senator PLUMMER: An act making it a felony for any police officer, constable, sheriff, or other person, to demand or receive from any person, company or corporation, any money or thing of value as a condition of any such person, company or corporation being permitted to allow practice of prostitution, gambling or other unlawful acts, and providing a penalty for violation thereof.....

236	{ 408 } { 589 } { 701 }	529	671	553	665	701	680
244	{ 321 } { 401 } { 407 } { 701 }		400	417	652	701	680
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149. Senator LAND: An act defining the powers of municipal corporation in respect of granting franchises to railways, and declaring an emergency.	261	{ 409 } { 672 }	678	6	678				
150. Senator PRESTON: An act to amend sections 1895 and 1896, Vol. I. of the general Statutes and Codes of the State of Washington, as annotated and arranged by William Lair Hill, relating to liens.....	261	365			434	653			
151. Senator PLUMMER: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 1, 6, 7 of "An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 11, 28, 23, 83 and 34 of "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1893, approved March 13, 1897.....	261								
152. Senator DAVIS: An act for the protection of employees, and to prohibit the practice of "blacklisting," and providing penalties for its violation.....	261	{ 335 } { 406 } { 484 }	402		435	462	522	522	549
153. Senator MILLER: An act to regulate charges for telephone service in this state, and providing a penalty for its violation.....	262								
154. Senator HILL: An act eliminating certain title or shore lands from the operation of the tide and shore land laws of the State of Washington, and declaring that certain lands from the mouth of the Lewis river along the north side of the Columbia river to the Cascade locks, which land has heretofore been declared to be tide or shore lands, to be neither tide or shore lands, and declaring the lands along said north bank of said river to be neither tide or shore lands, but declaring said lands to belong to the abutting owner along said river.....	278								
155. Senator HILL: An act to regulate the manufacture and sale of commercial fertilizers in the State of Washington.....	279	{ 291 } { 584 }	309	547	329	{ 405 } { 564 }	594	592	683

156. Senator PLUMMER: An act appropriating the sum of \$285.00 for incidental expenses for the State Board of Health.....	279	323 315							
157. Senator PLUMMER: An act to amend section 4755 of Ballinger's Annotated Code of the State of Washington, and relating to the appointment of prosecuting attorneys.....	279								
158. Senator PAUL: An act fixing the maximum steamboat freight rates in the State of Washington.....	279	377	619						
159. Senator ANDREWS: An act providing that a married woman may maintain an action for injury to her person or character, and the damage recovered shall be her separate property.....	279								
160. JOINT FISHERIES COMMITTEE: An act to protect sturgeon and to regulate the time and manner of fishing for sturgeon in the waters of the Columbia river, and declaring an emergency.....	282	379 534 701	522	671	532	664	701	681	
161. Senator HAMILTON: An act to regulate the width of wagon and other wheel tires used on the highways of the State of Washington.....	283								
162. Senator DAVIS: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 4, 19 and 31 of an act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency, approved March 19th, 1895.....	283								
163. Senator CARPER: An act to provide for the more efficient assessment and collection of taxes on the property of railroads in the State of Washington, and declaring an emergency.....	288	387 627	601						
164. Senator HALL (by request): An act in relation to the poisoning of ground squirrels on crop raising lands, highways, and vacant lands adjoining the same.	288								
165. Senator KEITH: An act defining trusts, and defining the penalty and punishment of corporations, persons, firm, association or person connected with them, and making void all contracts entered into for the purpose of hindering free competition, and to promote free competition in the State of Washington, making persons concerned in the violation of this act competent witnesses, and declaring an emergency.....	294	378							

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172. Senator SCHOFIELD (by request): An act to amend section 4469 of volume 1, of Ballinger's Annotated Codes and Statutes of the State of Washington, defining who may solemnize marriages.....	311	{ 330 } 406 } 514 }	402
173. Senator DAVIS: An act changing the present mode of doing the state printing; providing for state ownership of a printing and binding plant, 147, 148, 149, 2929, 2930, 2931, 2932, 2933, 2934 and 2935 of volume 1 of Hill's Annotated Statutes and Codes of Washington, and abolishing the office of State Printer.....	311	{ 640 } 653 }	646	646	.....	.....	.....
174. Senator YEEND: An act regulating the appropriation of the waters of this state for the purposes of irrigation.....	311	.....	.....	.....	.....	.....	.....
175. Senator REINHART (by request): An act to create a special fund for compensation of owners of domestic animals killed or injured by dogs.....	326	.....	.....	.....	.....	.....	.....
176. Senator YEEND: An act providing for the conveyance and transportation of convicts from the place of conviction to the State Penitentiary. Annotated Statutes and Codes of Washington 1176, 1177, 1178, 1179 and 1180 of volume 1, Hill's	326	385	529	.....	.....	.....	.....
177. Senator LECRONE: An act providing for the issuing of preferred stock and bonds by corporations.....	326	.....	.....	.....	.....	.....	.....
178. Senator HEMMICH: An act requiring horseshoers to pass civil service examination.....	326	.....	.....	.....	.....	.....	.....
179. Senator WILSHIRE: An act to provide for the assessment of property of railroad companies for the purpose of taxation in the State of Washington, and declaring an emergency.....	326	{ 455 } 702 }	684	526	{ 653 } 665 }	702	665
180. Senator PLUMMER: An act to provide for the collection, exhibition and maintenance of the products of the State of Washington, and for the publication of statements, pamphlets and circulars reciting the resources of the State of Washington for free distribution at the Paris Universal Exposition of 1900.....	326	390	.....	.....	.....	.....	.....
181. Senator PRESTON: An act to amend section 2 of an act to amend section 649 of volume 2 of the Statutes of Washington, compiled and annotated by W. L. Hill, relating to procedure in eminent domain proceedings.....	326	.....	.....	.....	.....	.....	.....
182. Senator LAND: An act to provide for the repair of the Snoqualmie pass wagon road, and appropriating funds therefor.....	327	413	.....	.....	.....	.....	.....
183. Senator YEEND: An act requiring that all sentences of less than one year imposed for any crime shall be served in the county jail.....	327	{ 523 } 535 }	524	522	535	652	681
	327	{ 364 } 425 }	419

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184. Senator KEITH: An act to repeal an act entitled "An act creating a board of pilot commissioners and pilots on the Columbia river and bar," approved November 29, 1871 (Laws 1871, page 96); and to repeal said act so amended by an act approved November 9, 1877 (Laws 1877, page 287); and further, to repeal said acts as amended by an act approved February 3, 1888 (Laws 1887-88, page 171).....	346	423							
185. Senator DAVIS: An act amending section 69 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the State's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the State by the United States, creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners, defining their duties and making an appropriation," etc.....	346	$\left. \begin{array}{l} 363 \\ 401 \\ 533 \end{array} \right\}$			525				
186. Senator DAVIS (by request): An act relating to appeals to the superior court from any decision or order of the board of county commissioners, and to repeal existing laws in relation thereto.....	346	585	692		692				
187. Senator VAN PATTEN: An act permitting women to engage in all lawful employments, and to sue for and collect compensation in their own name.....	346								
Senator CARPENTER (by request): An act to provide for the official measurement of all milk cans or other vessels used in the shipping and sale of milk, sealing and stamping the capacity thereon, and fixing a penalty for using unsealed milk cans or vessels.....	347								
189. COMMITTEE ON LABOR AND LABOR STATISTICS: An act authorizing the Commissioner of Labor to mediate in labor troubles, and in his discretion, to form boards of arbitration for the settlement of such troubles.....	347		433		434				

190. COMMITTEE ON LABOR AND LABOR STATISTICS: An act to amend sections 2 and 3 of an act entitled "An act creating a bill roll of labor, defining its duties, and appropriating money for its maintenance," approved March 8, 1897, being Chapter XXIX, Laws 1897, page 84.....
191. Senator LECHONE: An act to prevent the spread of tuberculosis, and to promote the general health, and for other purposes.....
- for LECHONE: An act to prevent the spread of infectious diseases, and to provide for the disinfection of infected premises.....
- ANDREWS: An act providing for a state exhibit of the agricultural, lumber, mining and other products of the State of Oregon, in the middle west, and making an appropriation therefor.....
- for PLUMMER: An act to regulate common carriers and to create a commission and transportation commission for the State of Washington, to prevent and extortion in charges of common carriers, to prescribe and reasonable freights and passenger tariffs may be in the commission and authorize the making of rules and regulations, and other parties and common carriers, and afford compensation, and other parties adequate remedies; to prescribe the violation of this act, and to provide measures and rules of amendment, etc.....
- PAUL: An act to provide for the establishment and maintenance of a state road from the town of Bridgeport, in Douglas county, to the town of Republic, in Stevens county, and making an appropriation therefor, and declaring an emergency.....
- for PLUMMER: COMMITTEE ON REVENUE AND TAXATION: An act amending an act to provide for the assessment and collection of taxes, approved March 15, 1897, by amending sections 101, 102, 103, 107, 111, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

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							<i>Signed by Speaker of House</i>
							<i>Approved and signed by the Governor</i>
199. Senator WOODING: An act providing for the organization of banks, and prescribing penalty for violations of this act, and declaring an emergency.....	355	485					
200. Senator PRESTON (by request): An act to amend sections 11, 14, 15, 18, 38, 41, 42, 43, 67, 77, and 86 of "An act to provide for the enrollment of the militia, for the organization, maintenance and discipline of the National Guard of the State of Washington, and for the public defense, and entitled 'The Military Code,' and to repeal existing laws," approved March 19, 1886 (Laws 1886, page 201), and declaring an emergency.....	372	484					
201. Senator PRESTON: An act regulating the allotment and expenditure of the road and bridge fund in counties in which there is a city of the first class.....	372	460			641		
202. Senator PRESTON (by request): An act for the more effectual prevention of cruelty to animals.....	373	514					
203. Senator WOODING: An act relating to the straightening and improvement of navigable rivers not exceeding two miles from the corporate limits of cities, emptying into harbors upon which are incorporated cities with tide lands of the first class, securing the right of way therefor, providing for the disposition of reclaimed beds of such rivers, providing for the alteration of waterways already established in such cities, and providing for the payment of such improvement with the special fund of the city or cities affected, in accordance with the provisions of the act of the Legislature of March 10, 1891, relating to the improvement of harbors and waterways in the State of Washington, and providing funds therefor.....	373	564					
204. Senator VAN PATTEN: An act to regulate, license, and prohibit the sale of spirituous, fermented, malt, and other intoxicating liquors, in accordance with petition or local voting, and to regulate voting thereon.....	373						
205. Senator COLK: An act relating to the sale of allotted lands by Indians.....	373	426					

206. Senator BAKER: An act to enlarge and define the powers of unclassified cities within the State of Washington incorporated by special charter prior to the adoption of the state constitution.....

207. Senator LAND: An act providing for the auditing and allowance of expense accounts for all state and county officers, and providing for penalties for the violation thereof.....

208. Senator RUNNER: An act withdrawing school lands of the State of Washington from sale, and providing for the leasing thereof.....

209. Senator HEMRICH: An act providing for the appointment of a State Bank Examiner, defining his duties, and the duties of the officers of the banks under his supervision.....

210. Senator SCHOFIELD: An act providing for making definite and certain the boundaries of incorporated towns or cities of the fourth class, the boundaries of which are indefinite or uncertain.....

211. Senator PLUMMER: An act providing for the installation of the Charles F. Gifford's condensing system in the state institutions, and making an appropriation therefor.....

212. Senator PRESTON: An act amending section 1 of an act entitled "An act relating to the location and establishment of private roads of necessity, and providing for compensation for lands taken therefor," approved March 19, 1895.....

213. COMMITTEE ON RAILROADS AND TRANSPORTATION (substitute for Senate bill No. 14 and House bill No. 86): An act fixing maximum railroad rates for the transportation of passengers in the State of Washington, and providing a penalty for violation thereof.....

214. Senator WILSHIRE (by request): An act creating a commission on revenue and taxation, prescribing its personnel, term of office, scope, functions, duties and powers, salaries and emoluments, and limitations, and appropriating money for its operation, and declaring an emergency.....

215. Senator CROW: An act providing for voting on a constitutional amendment at the general election to be held in November, 1900, relative to the ownership of land by aliens.....

216. Senator CROW: An act to change the name of the Agricultural College, Experiment Station and School of Science of the State of Washington to The State College of Washington.....

217. Senator PLUMMER: An act regulating the sale of baking powders containing carbonate of ammonium and fixing penalty for violation thereof.....

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218. Senator KEITH: An act amending sections 9 and 12 of an act entitled "An act providing for the survey and establishment of a state road, creating a commission, defining its duties, and making an appropriation therefor, and declaring an emergency," approved March 18, 1897.....	393	{ 437 } - { 523 } - { 535 }	524	{ 522 } - { 536 } - { 541 }	533	653			
219. Senator CARPER: An act exempting any person, company or corporation owning, leasing or managing any railroad in this state not exceeding fifty miles in length from the statutory provisions establishing maximum freight rates	393								
220. Senator PRESTON: An act to amend section 1678 of Volume 1, Hill's Annotated Statutes and Codes of Washington, relating to liens on boats....	413	460	603		604				
221. Senator PRESTON: An act for the relief of the Seattle and International Railway Company, repaying certain amounts paid under void judgments for condemnation of right-of-way over state lands, and making an appropriation therefor.....	413								
222. Senator T. J. MILLER: An act amending sections 1 and 3 of "An act to provide for the location and erection of a capitol building, and providing an appropriation therefor, and declaring an emergency," approved March 21, 1893.....	414	{ 439 } - { 484 } - { 539 }	464	{ 614 } - { 632 } - { 660 }	518	542	539	542	
223. Senator ANDREWS: An act authorizing and directing a guardian of an infant to borrow money for the preservation of the estate of his ward, and providing for mortgaging the real estate of the ward to secure the same	414								
224. Senator WOODING (by request): An act to compel all persons, firms or corporations to place the formulae of the ingredients of all patent medicines on the outside of the bottle or package that may contain the same medicine, and prescribing a penalty for failure to do so.....	414	486							

225.	Senator SCHOFIELD: An act to amend section 53 of an act of the Legislature of the State of Washington entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the contribution and completion of the several grants to the state by the United States, creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be generally known," etc.	414	{ 456 557 573 583 698	{ 555 556 573 596	589	638	698	693	.....
226.	Senator PLUMMER: An act appropriating money for the purpose of paying the outstanding obligations incurred by the Washington State Commissioners to the Trans-Mississippi and International Exposition.	414	515	{ 613 623					.....
227.	Senator KEITH: An act for the relief of Fenton H. Goss, and making an appropriation therefor.	415							.....
228.	Senator McREAVY: An act for the relief of D. B. Ward as State Immigration Agent, and making an appropriation therefor.	428	{ 517 583						.....
229.	Senator BAKER: An act to amend an act entitled "An act accepting the terms of an act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of said grants therein, making an appropriation therefor, and declaring an emergency, approved March 22, 1895," and to amend an act entitled "An act to amend an act entitled 'An act accepting the terms of an act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid lands,' etc.	428	607						.....
230.	JUDICIARY COMMITTEE: An act empowering the Board of State Land Commissioners to relinquish to the United States selected lands to which the title of the state has failed, and declaring an emergency.	428	{ 439 700		441	680	700	664	.....
231.	JUDICIARY COMMITTEE: An act limiting the time in which appeals from the Board of State Land Commissioners to the Superior Court shall be prosecuted.	428	697		603	652	697	638	.....
232.	(Substitute for No. 183) JUDICIARY COMMITTEE: An act fixing the minimum sentence of imprisonment in the State Penitentiary.	429							.....
233.	Senator VAN PATTEN (by request): An act limiting and repealing all acts or all portions of acts authorizing the granting of licenses for the sale of intoxicating liquors, and providing for the further regulating, restraint or prohibition of the manufacture and traffic in intoxicating liquors under a system of state control thereof, prescribing penalties for the violating of the same, and providing for a special election for the purpose of ascertaining the sentiment of the qualified electors in favor or against the same.	429							.....

TITLE AND HISTORY OF SENATE BILLS—CONCLUDED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred....	Report of Committee.....	Third reading and amendments....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate..	Signed by Speaker of House.....	Approved and signed by the Governor.....
224. Senator BIGGS (by request): An act relating to the fiscal affairs of the State of Washington, and declaring an emergency.....	429	489							
225. Senator PUGSTON: An act requiring the right-of-way of railroads to be fenced, and providing a penalty for the violation thereof.....	442								
226. Senator PRESTON: An act relating to the filing and recording of mixed, chattel and real estate mortgages in the State of Washington, and curative provisions relative thereto.....	442	602 } 618 } 697 }	608		619	649	697	683	
227. Senator PRESTON (by request): An act regulating the making of findings of facts and conclusions of law in the Superior Courts of the State of Washington; appealing from judgments rendered therein, and repealing all acts and parts of acts in conflict herewith, and declaring an emergency.....	443								
228. Senator BAKER: An act providing for the survey, establishment and construction of a state road along the north bank of the Columbia river from a point on the county road which was from Washington, Clark county, Washington to Cape Horn in Skamania county, Washington, about two miles east of Washougal, in Clark county, Washington, thence easterly along the north bank of the Columbia river above high water mark to a point of intersection with the Lytle and Goldendale county road at or near the mouth of the Klickitat river in Klickitat county, Washington creating, etc.....	443	488 } 523 } 538 }	524	522	586	653			
229. Senator BIGGS: An act providing for validating leases heretofore made by cities or towns of streets, or portions thereof, upon the waterfront, within or in front, of cities or towns, and declaring an emergency.....	443	488 } 527 } 571 }			524	561		570	683
240. Senator KEITH: An act regulating the making of findings of facts and conclusions of law in the superior courts of the State of Washington, appealing from judgments rendered thereon, and repealing all acts or parts of acts in conflict herewith and declaring an emergency.....	443								

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6. Mr. DANIELS: An act to provide for the admission of Indian war veterans in the Soldiers' Home.....	217	222	320	502				
14. Mr. FALKNER: An act amending section 1 of an act entitled "An act relating to exemptions of personal property," approved March 11, 1897	217	223	270	313	313	313 / 351		
16. Mr. FALKNER: An act to establish the rate of interest on state warrants, and declaring an emergency.....	72 / 95		159					
17. Mr. FALKNER: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1900, relative to taxation....	217	222	317 / 318 / 658	446		448		
20. Mr. HEILIG: An act providing for the determination of adverse claims to real estate and water rights	230	243						
21. Mr. HEILIG: An act authorizing and empowering cities of the first, second, third and fourth classes to regulate and license by ordinance the riding of bicycles, tricycles and other like vehicles; to construct, maintain and regulate the use of bicycle paths and roadways, and providing a penalty, and declaring an emergency	383 / 512	394	425	509	509		559	559
23. Mr. HEILIG: An act relating to civil actions, etc.....	104	104	234					
25. Mr. SOMERINDYKE: An act to amend section 33 of an act entitled "An act to provide for the establishment and creation of drainage districts, and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, and declaring an emergency," approved March 20, 1896.....								
27. Mr. CALLEVERT: An act providing for the manner of changing the name of an incorporated city or town.....	217	223	438	650	650			
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34. Mr. CHRISMAN: An act to provide for the erection of screens at the head of irrigation, mill or electric light flumes or ditches, or canals, for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof.....

38. Mr. COLWELL: An act to amend section 51, chapter 89, Laws of 1897, being an act relating to public lands of the state, approved March 16, 1897.....

40. Mr. McDONALD: An act to amend section 2 of an act entitled "An act authorizing cities, towns and counties to purchase, construct and maintain ferries," approved March 20, 1895, and declaring an emergency.....

44. Mr. PRATT: An act relating to the time of commencing civil actions, amending sections 115 and 122 of volume 2 of Hill's General Statutes and Codes of the State of Washington, the same being sections 4800 and 4807, volume 2 of Ballinger's Annotated Codes and Statutes.....

45. Mr. PRATT: An act amending section 1 of an act entitled "An act relating to and authorizing the collection of assessments for local improvements by a new assessment or reassessment of the costs and expense of making same in cities and towns, and declaring an emergency, approved March 9, 1893," and declaring an emergency.....

49. Mr. MOUNT: A bill for an act to create and organize the county of Ferry, and declaring an emergency.....

50. Mr. PALMER: An act for the protection of orphans, homeless, neglected or abused children, and conferring powers upon judges of the superior court, County Commissioners and charitable societies to receive, control and dispose of the same, and declaring an emergency.....

53. Mr. CALLVERT: An act for the relief of Jasper M. Warren, guard or custodian of the Whatcom County Normal School building, and making an appropriation therefor.....

65. Mr. BALDWIN: An act relating to the assessment and collection of taxes.....

73. Mr. SMITH: An act declaring bicycles to be baggage and providing for the carrying of the same by railroad corporations.....

78. Mr. BEDFORD: An act making appropriations for deficiencies in appropriations for transportation of convicts, transportation of juvenile offenders and traveling expenses of superior judges for the fiscal period beginning April 1, 1897 and ending March 31, 1899, and declaring an emergency.....

79. Mr. GLEASON: An act establishing the State Museum of the University of Washington.....

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83. Mr. COLWELL: An act making provisions for the incorporation of Cemetery Associations, defining their powers and prescribing a penalty for injury to their property.	403	413	426	500	501	559	559
86. Mr. MCLEAN: An act prescribing the maximum rate to be charged by railroad and steamship companies for transportation of passengers within the state, and fixing a penalty for the violation thereof.....	185	187	{ 386 387 }	.....	.....	.....	.....	.....
91. Mr. TOTTEN: An act to fix the time for holding the annual election of road supervisors.....	{ 289 512 }	293	.....	508	508	.....	559	559
93. Mr. DICKSON: An act amending an act relating to proceedings supplemental to execution, and declaring an emergency.....	240	243	389	676	676	462	682	682
94. Mr. SHELLE: An act amending an act entitled "An act providing for commencement of civil actions," approved March 15, 1893, "An act to amend section 7 of an act providing for the manner of commencing actions in the superior courts, and to bring the same to trial."	185	187	367	.....	.....	.....	.....	.....
96. Mr. SHELLE: An act relating to the appointment of guardian ad litem of insane persons.....	217	223	367	695	695	.....	682	682
96. Mr. MYERS: An act compelling railroads to fence their rights-of-way, and to protect the owners of stock injured by moving railway trains; declaring the laws of negligence with regard to stock injured by railway trains.....	451	463	.....	.....	.....	.....	.....	.....
97. Mr. SHELLE: An act relating to sheriff's certificate of sale of real property and providing for the record of assignment of such certificate.....	241	243	388	.....	.....	.....	.....	.....
100. Mr. PRATT: An act authorizing municipal corporations to provide for the acceptance of warrants upon local improvement funds in satisfaction of assessments for local improvements.....	217	222	387	636	636	.....	668	668

106. Mr. ROSENHAUPT: An act to prevent and punish the defacing or the destruction of any sign board or post or mile board or post.....	465	495	.....	.....	.....	.....	.....	.....	.....
107. Mr. BEDFORD: An act in regard to the investment of the permanent school funds in state warrants, and declaring an emergency.....	304	311	491	527	527	551	570	571	.....
108. Mr. BEDFORD: An act authorizing the issuance of state bonds and the investment of the permanent school fund therein, and declaring an emergency.....	304 } 531 }	311	491	528	528	.....	556 } 591 }	556	.....
109. Mr. LAMBERT: An act prohibiting the employment of any Chinese on any public works in this state, and providing a penalty for the violation thereof.	610	628	.....	.....	.....	.....	.....	.....	.....
110. Mr. BROWN: An act to amend sections 8, 10, 11 and 16 and repeal sections 7, 8 and 9 of an act providing for levying and collecting taxes in road districts for road purposes.....	241	243	457	.....	.....	.....	.....	.....	.....
111. Mr. MAXWELL: An act to amend section 132 of "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27th, 1890, as said decision was amended by section 8 of "An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890," approved March 9, 1893.....	180	186	457	.....	646	.....	693	694	.....
114. Mr. PENDERGAST: An act for the relief of Capt. Percy G. Maltbie, and declaring an emergency.....	94	.....	157 } 160 }	160	160	160	170	172	.....
119. Mr. WHITE: An act appropriating money for clerical assistance, expressage, postage and incidentals, in the office of the Superintendent of Public Instruction.....	273	276	323	351	351	351	371	371	.....
120. Mr. ALLEN: An act for rendering available the endowment of the Agricultural College, Experiment Station and School of Science of the State of Washington, and declaring an emergency.....	185	187	215	227	227	234	273	276	.....
122. Mr. STOCKWELL: For the relief of E. L. Koehler.....	512	519	.....	.....	.....	.....	.....	.....	.....
129. Mr. STEWART: An act to amend an act entitled "An act to amend an act entitled 'An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 26 (27), 1890,' approved March 9, 1891, and declaring an emergency,' approved March 8, 1893, and declaring an emergency'".....	324	345	.....	.....	.....	.....	.....	.....	.....
130. Mr. GLEASON: An act for the protection of hotels, boarding and lodging houses.....	241 } 512 }	243	.....	506	507	.....	559	559	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred....	Report of Committee	Third reading and amendments.....	Vote on final passage	Other action in Senate.....	Signed by Speaker of House.....	Signed by President of Senate ..
135. Mr. PRATT (by request): An act authorizing incorporated cities and towns to define who shall be vagrants, medicsants, prostitutes, fortune tellers, and disorderly persons, and providing for the punishment thereof, and declaring an emergency.....	289	293	458			462		
137. Mr. SHARP: An act regulating the manufacture of dairy products, to prevent deception or fraud in the sale of the same, or imitation thereof, providing for the appointment of a dairy commissioner, and defining his duties, creating a state board of dairy commissioners, and defining their duties, imposing certain duties upon the chemists of state institutions, providing penalties for violations of this law, making an appropriation, and declaring an emergency.....	289 / 513	293	438 / 504	504	504	504	559	559
142. Mr. PARKER: An act to amend section 34 of an act entitled "An act to provide for the selecting, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be general, etc."	249	277	486					
144. Mr. PALMER (by request): An act providing that before any corporation can reorganize under the laws of this state, all claims and liabilities shall be paid off and satisfied.....	465	493						
145. Mr. PALMER: An act in regard to the dismissing of appeals by the supreme court.....	324	344	412					
147. Mr. THACKER: An act to provide for laying out and establishing private ditches and drains.....	442	469	655	692	692		665	665
148. Mr. PARKER: An act to provide for the payment of expenses incurred in compliance with an act entitled "An act to provide for the construction and maintenance of dikes and dams in certain cases," approved February 2, 1888, or of any acts amendatory thereof, and declaring an emergency.....	289	294	438	618				

149. **MR. CONWAY:** An act making it unlawful to injure or damage in any way the public lands of the State of Washington, and prescribing the punishment therefor..... 324 / 518
150. **MR. MOUNT:** An act relating to the serving and filing of papers in proceedings in the courts of this state..... 170 344 390 507 507 559 559
151. **MR. CONWAY:** An act to amend sections 48 and 50 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school and tide, oyster and other lands and harbor areas; and for the confirmation and completion of the several grants to the state by the United States, creating a Board of Appraisers and a Board of Harbor Line Commissioners as authorized by Articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners, defining their duties, making an appropriation, etc..... 581 587 586 649 649 682 682
154. **MR. McDONALD:** An act changing the name of Gilman, King county, Washington, to Issaquah..... 94 / 188
157. **MR. ROSENHAUPT:** An act providing for voting on a constitutional amendment at the general election to be held in November 1900, relative to the ownership of bonds by aliens..... 465 493 654 686 686
160. **MR. FALKNER:** An act to amend an act entitled "An act in relation to recognizances, stipulations, bonds and undertakings," approved March 17th, 1879, and declaring an emergency..... 340 345 386 545 545 571 571
161. **MR. STAWART:** An act providing for conducting the Agricultural Experiment Station heretofore established at Puyallup, Washington..... 465 493 627 682 682 688 688
163. **MR. SOMERINDYKE:** An act for the relief James S. Krape..... 217 222 269 312 312 358 358
170. **MR. WELTY:** An act authorizing the Boards of County Commissioners of the several counties of the State of Washington, to audit and order warrants drawn in favor of all persons who were employed in the survey, laying out, or construction of public roads, or roads which are now used by the public in any county in the State of Washington, such as are now used by the County Commissioners in such county, under Chapter 48, page 237 of the Session Laws of 1893, and declaring an emergency..... 217 222 269 312 312 358 358
170. **MR. LANBERT:** An act relating to fees to be paid by corporations to the Secretary of State for filing articles of incorporation and other services relating to corporations, and repealing an act entitled "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, and declaring an emergency," approved March 13th, 1897, and permitting all unpaid penalties and fees which have accrued under the provisions of said act approved March 13th, 1897, and declaring an emergency..... 249 277 426 506 506

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Vote on final passage	Other action in Senate.....	Signed by Speaker of House.....	Signed by President of Senate ..
186. Mr. CALVERT: An act repealing an act entitled "An act establishing a Board of Pardons and defining its duties, and declaring an emergency," approved March 6, 1897, and an act entitled an act to amend section 1 of an act entitled "An act establishing a Board of Pardons and defining its duties and declaring an emergency," approved March 11, 1897, and declaring an emergency.....	384	396	440	453	453	.....	484	522
187. Mr. STEWART: An act granting a bounty for the encouragement of the manufacture of sugar in the State of Washington,.....	273	276	291	314	315	.....	358	358
188. Mr. BARLOW: An act providing for the prevention of persons from being caught in railroad fogs, switches or guard rails, and making railroad companies liable for damages from failure to comply therewith.....	273 { 531 {	276	330	506	506	.....	570 { 591 {	570
193. Mr. McDONALD: An act to provide for the adoption and use of school textbooks in all school districts, including or included within cities and towns maintaining high schools, and supplying free to their pupils text-books and supplies.....	621	.....	.....	.....	.....	.....	681	681
194. Mr. BEDFORD: An act making an appropriation for deficiency in the maintenance fund of the Western Washington Hospital for the Insane.....	465	493	.....	.....	.....	.....	.....	.....
195. Mr. WHITE: An act to provide against the adulteration of food.....	230 { 649 {	244	563 { 572 { 614 {	.....	622	512 { 613 {	664	664
196. Mr. WHITE: An act to prevent the sale of imitation or adulteration of honey, and to provide a punishment therefor.....	340	345	.....	.....	.....	.....	.....	.....
197. Mr. SHELLE: An act to amend section 1 of an act entitled "An act in relation to legal holidays," approved February 25, 1891.....	340	845 { 656 {	458	.....	.....	.....	.....	.....
198. Mr. SHELLE: An act to amend section 4271 of Ballinger's Annotated Codes and Statutes of Washington, relating to decrease of capital stock of corporations, and declaring an emergency.....	289	294 { 533 {	.....	677	677	.....	705	705

214. Mr. FALKNER: An act relating to cemeteries and burial places.....	465	498	578	.....	.....	.....	.....
215. Mr. CLARK: An act prohibiting the sale of mountain, lake, stream and brook trout, except such as are artificially propagated.....	304	311	381	.....	634	.....	.....
216. Mr. SIMS: An act regulating fraternal, beneficiary societies, orders and associations, and declaring an emergency.....	465	498	.....	.....	.....	.....	.....
217. Mr. FIELD: An act for the relief of Dora S. Tibbits, and appropriating money therefor.....	610	628	.....	.....	.....	.....	.....
223. Mr. FRYE: An act to amend section 8, chapter 127, of the Session Laws of 1893, entitled "An act to provide for the manner of commencing civil actions in the superior courts and bringing the same to trial," the same being section No. 4876 of Ballinger's Annotated Statutes and Codes of Washington...	383	394	.....	.....	.....	.....	.....
225. Mr. SOMERINDYKE: An act providing for the service of summons and complaints and notice in actions brought in a justice court in cities of five thousand or more inhabitants.....	241	244	.....	.....	.....	.....	.....
226. Mr. SOMERINDYKE: An act fixing the venue of actions in justice courts in cities of five thousand or more inhabitants.....	241 } 512 }	244	837	503	503	521 } 546 }	570 571
227. Mr. PRATT: An act to amend sections 1, 2 and 3 of an act entitled "An act to extend the right of eminent domain to electric power companies, and declaring an emergency," approved March 11th, 1895.....	289	294 } 584 }	486	675	675	.....	682 682
228. Mr. STOCKING: An act to regulate the width of wagon tires to be used with lumber or farm wagons.....	289	294	.....	.....	.....	.....	.....
230. Mr. STOCKING: An act to remit delinquent taxes, penalty and interest on charitable institutions.....	230	243	368	508	509	.....	570 } 682 }
236. Mr. WITTER: An act to amend an act entitled "An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons, to punish all persons violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency," approved April 10, 1890.....	249	278	412	703	.....	648	.....
237. Mr. PENDERGAST: An act to amend section 4 of Chapter 3 of Title 1, and section 72 of Chapter 2 of Title 3 of the Code of Public Instruction, approved March 19, 1897, and declaring an emergency.....	217	222	302	317	317	.....	358 358
239. Mr. HEILIG: An act relating to foreign corporations, and imposing a penalty for failure to file articles of incorporation and appointing a resident agent, and repealing conflicting laws.....	249	278	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Vote on final passage	Other action in Senate.....	Signed by Speaker of House.....	Signed by President of Senate ..
300. Mr. GOSB: An act for the relief of Mrs. J. H. Stahl, R. A. Koontz and the Vancouver Auditorium Association, and appropriating money therefor.....	597	.....	621	621	625	620	668	668
301. Mr. GOSE: An act relating to the sufficiency and justification of bail and sureties on bonds, and amending section No. 245 of volume 2 of Hill's Annotated Codes and Statutes of the State of Washington.....	384	395	.....	.....	.....	.....	.....	.....
304. Mr. PRATT: An act amending section 2417, Vol. 1, Hill's Annotated Statutes and Codes of Washington, the same being section 15927 of Vol. 2, Ballinger's Codes and Statutes of Washington, in relation to an act for bonds to be taken for municipal contracts, and declaring an emergency	466	499	585	702	702	.....	665	665
305. Mr. LANGFITT: An act to amend section 5 of an act entitled "An act to provide for the establishment and creation of dike districts, and the construction and maintenance of a system of dikes, and to provide the means of the payment thereof, and declaring an emergency," approved March 20th, 1896..	442	469	654	688	688	.....	668	664
306. Mr. BEDFORD: An act to amend sections 7 and 8 of an act entitled "An act in relation to garnishments," approved March 8, 1898, the same being sections 5396 and 5397 respectively of Ballinger's Annotated Codes and Statutes of Washington.....	384	395	.....	.....	.....	.....	.....	.....
307. Mr. HELLIG: An act prohibiting the removal of buildings or other improvements from property that is mortgaged or subject to mechanic's liens, without consent of mortgagee or lienor, and prescribing punishment for violations	384	395	.....	.....	.....	.....	.....	.....
308. Mr. HELLIG: An act prohibiting the sale or other disposition of personal property of which possession has been attained through conditional sale or lease, declaring the same to be a misdemeanor, and fixing the penalty.....	384	395	.....	.....	.....	.....	.....	.....
309. Mr. HELLIG: An act prescribing the rate to be charged by persons, companies or corporations operating or running sleeping cars upon the railroads within the state, and fixing a penalty for the violation thereof.....	610	628	.....	.....	.....	.....	.....	.....
314. Mr. BALDWIN: An act for the relief of Captain Harry St. George.....	560	565	614 } 621 }	621	624	618 } 620 }	668	668

316. Mr. GUTDERSON: An act appropriating the sum of \$400 for the construction of a fishway in the Skokomish river, Mason county	597 } 626 }	614	623	613	667	667
319. COMMITTEES ON STATE BUILDINGS, PUBLIC GROUNDS AND LIBRARIES, AND APPROPRIATIONS: An act for expediting the completion of the State Capitol Building, and for the reduction of the cost thereof by changing the original plans, providing for the payment of interest, and making an appropriation therefor	273 } 353 }	276 } 304 } 654 }	320 } 372 }	370 } 371 }	391	391
320. COMMITTEE ON APPROPRIATIONS: An act providing for the construction, repair, improvement and equipment of buildings for the University of Washington, the Agricultural College and School of Science and the State Penitentiary, and making an appropriation therefor	273	278	323	354	354	357
321. Mr. WHITE: An act to amend section 224 of the first volume of Hill's Annotated Code of the State of Washington, in regard to the bond of prosecuting attorneys, and to regulate the amount thereof according to the class of the county	384	396	488 } 655 }			
322. Mr. FALKNER: An act making an application to congress	462					
323. Mr. CLARK: An act to amend sections 1740 and 1748 of Vol. I of Hill's Annotated Statutes and Codes of the State of Washington, being sections 4122 and 4125 of Ballinger's Code, relating to head gates upon irrigation ditches and fixing a penalty	466	497				
324. Mr. CALLVERT: An act to amend sections 11, 12, 33 and 36, and to repeal sections 8, 9 and 10 of an act entitled "An act providing for the establishment of a system of improved roads in counties, and providing for the manner of laying out, constructing and maintaining the same," approved March 15, 1893, and the same being Chapter CXXIII of the Session Laws of 1893	466	499	639	674	674	665
331. Mr. ENGLEHART: An act providing for the dissolution of irrigating ditches and the liquidation of their indebtedness	560	566		650	650	682
332. Mr. CURTIS: An act providing for the public printing of the State of Washington	626 } 633 }			651	665	682
335. Mr. FRYE: An act to amend section 12 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease, and disposition of the state's granted, school, tide, oyster, and other lands, grants to the State by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the state's Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," approved March 16, 1897	466	499	639	673	704	705

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Vote on final passage	Other action in Senate.....	Signed by Speaker of House.....	Signed by President of Senate
339. Mr. BROWN: An act to require railway companies to pay the damage for live stock injured or killed.....	290	394						
342. Mr. PALMER: An act defining the boundaries of King county.....	466	499						
346. Mr. FRYE: An act relating to Fish Commissioner and employment of deputies, and amending sections 2570 and 2573, Vol. I, Hill's Annotated Codes and Statutes of Washington.....	649							
347. INSURANCE COMMITTEE: An act to regulate, control and license insurance companies, corporations and associations, and their agents, prescribing license fees and imposing penalties, and declaring an emergency.....	340	345	561 660	689	689	660	704	705
348. Mr. SHELLER: An act to prevent the duplication of corporate names or entitlements.....	466	497						
349. Mr. HEILIG: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 1, 6 and 7 of an act entitled "An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 11, 26, 29, 33 and 34 of an act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895, and approved March 13, 1897.....	466 595	496	489	594	594	619		
350. Mr. HEILIG: An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 4 and 31 of an act entitled "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895.....	467 595	498		598	594		612	612
351. Mr. PATTERSON: An act to change the name of Dogfish bay, Kitsap county, State of Washington, to Patterson bay, Kitsap county, State of Washington.....	447	469						

354. (Substitute for 164) COMMITTEE ON JUDICIARY: An act relating to the sale of property under execution, decrees and orders of sale, and the confirmation of sheriff's sales, and redemption therefrom, and repealing an act passed by the Legislature of the State of Washington, March 2, 1897, approved March 10, 1897, entitled: "An act relating to the sale of property under execution and decrees, and the confirmation of sheriff's sales, and repealing sections 411, 412, 413, 414, 415, 416, 417, 418, 419, and 421 of Vol. II of Hill's Annotated Statutes and Codes," etc.	357 (} 500 (}	375	470	478	580	580
363. MR. WICKERSHAM: An act to punish the injury or destruction of property and records upon public lands.	467	495	579	694	694	664
364. MR. WICKERSHAM: An act providing for the manner of perpetuating evidence for use in civil actions and repealing sections numbered respectively 1688, 1689, 1690, 1691 and 1692 of second Hill's Code, and all other acts in conflict with this act, and declaring an emergency.	560	566				
367. COMMITTEE ON GAME AND GAME FISH: An act making it unlawful to catch or kill trout, perch, bass and pickerel during certain months, or to take, catch or kill the same in any manner whatever other than by hook and line, providing the punishment.	467	497				
371. MR. BISBON: An act for the appointment of a Hop Inspector.	621		686	686		682
379. (Substitute for Nos. 244, 247, 337 and 340) COMMITTEE ON FISHERIES: Providing for the protection and propagation of food fishes in the waters of the State of Washington.	406 (} 621 (}	413	579 (} 616 (}	617	617	630 (} 645 (}
380. MR. WELTY: An act for the protection of game animals and birds, song birds and game fish, creating the office of State Game Warden, and defining duties and imposing additional duties on county and game wardens.	531		579	642	642	667
381. COMMITTEE ON JUDICIARY: An act relating to the trial of actions by jury, and amending section 354 of Vol. II of Hill's Annotated Statutes and Codes of Washington, being section 4993 of Ballinger's Annotated Codes and Statutes.	467	496				
382. MR. COLWELL: An act to regulate mutual fire insurance companies and associations.	467	496	489	641	642	649
384. MR. CARPENTER: An act to amend section 6 of an act entitled "An act to provide for the relief of indigent Union and Mexican war soldiers, sailors and marines, and the families of those deceased or indigent, and to defray funeral expenses".	597			705	705	705
385. MR. GLASERSON: An act to provide for reducing costs and expenses in the administration of estates not exceeding one thousand dollars in value.	467	496				

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Vote on final passage	Other action in Senate.....	Signed by Speaker of House.....	Signed by President of Senate ..
387. Mr. FALKNER: An act for the relief of the Light and Power Company of Olympia, for lighting state offices during the months of April, May, June, and July of 1897, and making an appropriation therefor.....	597							
388. Mr. SHARP: An act providing for condemnation proceedings for right-of-way for irrigating ditches, canals, and flumes for agricultural and mining purposes, and relating to right of appropriation of water.....	560	566		690	690		705	705
393. COMMITTEE ON MINES AND MINING: An act amending section 6 of an act entitled "An act to regulate the leasing of mineral lands belonging to the State of Washington, and declaring an emergency," approved March 17, 1897.....	467		490 { 543 {		612		668	668
394. Mr. FALKNER: An act to amend section 3 of an act entitled "An act relating to county surveyors, defining their powers, and regulating their duties," approved by the Governor March 19, 1895.....	582							
396. Mr. MYERS: An act amending section 12 of an act entitled "An act providing liens upon saw logs, spars, piles, or other timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens, and the benefit thereof, and the manner and procedure of obtaining the same," approved March 15, 1898.....	467	499	608	685	685		681	682
398. Mr. FIELD: An act for the protection and propagation of game and food fishes	652							
407. Mr. PARKER (by request): An act for the relief of W. H. Bardon, and estate of Wm. Munks.....	610	628						
408. Mr. ENGLEHART: An act transferring money in the State Treasury credited to the revolving fund of the State Penitentiary to the general fund, and declaring an emergency	492	494	614		628 { 641 {	618		

413.	Mr. FIELD (by request): An act to create the county of Wenatchee: subject to the requirements of the state constitution and statutes in respect to the establishment of new counties.....	467	498	627	643	645	.....	664	664
417.	Mr. HELLIG: An act relating to justices of the peace and constables in cities of the first class, and fixing their number and salaries, and providing for making one of the justices elected in such cities a police justice, and defining his duties and powers.....	442	469	561	635	635	.....	667	668
418.	Mr. MILLER: An act to more clearly define the boundaries of Pierce county, and amending section 24, title 1, volume 1 of Hill's Annotated Statutes and Codes of Washington.....	498	494	.....	.....	.....	.....	.....	.....
423.	Mr. DICKSON: An act authorizing cities of the first class to levy and collect assessments upon property benefitted by local improvements, and declaring an emergency....	447	469	585	642	632 } 642 }	.....	668	668
424.	COMMITTEE ON LABOR AND LABOR STATISTICS: An act to establish the number of hours to constitute a day's work on all state, county or municipal construction, or such work done by contract or sub-contract, and providing a penalty for its violation.....	488	495	490	.....	637	.....	668	668
428.	Mr. MCCOY: An act providing for condemnation of right-of-way for logging purposes, and conveying timber products.....	560	566	.....	690	690	.....	705	705
431.	COMMITTEE ON HORTICULTURE: An act to amend sections 4, 12 and 14, chapter 109, page 308, Session Laws of 1897, of "An act to promote and protect the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a Commissioner of Horticulture; to repeal certain laws in conflict therewith," approved March 17, 1897, and declaring an emergency.....	467	498	655	695	695	.....	705	705
434.	Mr. ALLEN: An act to provide for the admission of veterans of the Spanish-American war to the Soldiers' Home.....	592	.....	.....	.....	.....	.....	.....	.....
438.	COMMITTEE ON FISHERIES (substitute for House bills Nos. 62, 67 and 210): An act providing for the construction of fish hatcheries, and making an appropriation therefor.....	421 } 426 }	429	562 } 621 }	621	624	620	.....	.....
439.	JOINT COMMITTEE ON REVENUE AND TAXATION: An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and repealing sections 100, 101, 106, 110, 113, 115, 117, 118 and 121 thereof, and by adding sections 97½, 119¾, 119¾, 119¾, 120¼, 120¼, and 120¾ to said act," and declaring an emergency.....	484 } 596 }	494	.....	539 } 567 } 568 }	569	592	619	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—(CONTINUED.)

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by President of Senate.....	Signed by Speaker of House.....
440. Mr. CONWAY: An act to provide for the official measurement of all milk cans or other vessels used in the shipping and sale of milk, sealing and stamping the capacity thereon, and fixing a penalty for using unsealed milk cans or vessels.....	531 { 561 }				633		667	668
443. Mr. LANGFITT: An act fixing the fees on filing transcript of appeal, certiorari or writ of review to the superior court from justice's court.....	540	565						
444. Mr. CALLEVERT: An act for the relief of Captain Henry Roeder.....	610	628						
447. Mr. TOTTEN: An act authorizing incorporated colleges, seminaries, lyceums, libraries and other societies for benevolent, temperance, charitable and scientific purposes, heretofore or hereafter incorporated under the laws of the Territory or State of Washington, to amend their articles of incorporation.....	582	587						
449. Mr. STANS: An act to amend sections 4, 8 and 11 of an act entitled "An act entitled 'An act amending sections 2-6 and 34 of chapter 2, title 8, also sections 327, 379, 384, 385, 390 and 391 of chapter 3, title 8, also sections 397 and 401 of chapter 4, title 8, also sections 418 and 423 of chapter 5, title 8, volume 1, Hill's Annotated Statutes and Codes of Washington, also amending section 390, volume 1, Hill's Annotated Codes and Statutes as amended by section 1 of chapter 91 of the Laws of 1893, in relation to elections,' approved March 21, 1893," etc.....	560	565	706	706		706 { 595 { 598 { 600 { 619 { 673 { 708 { 709 }		
452. COMMITTEE ON APPROPRIATIONS: An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1899, and ending March 31, 1901.....	492 { 499 { 708 }	495	672 { 706 { 709 }	595 { 709 { 709 }	611 { 709 { 709 }		710	710
454. Mr. WELTY: An act providing for the protection of original or prior locators of mining claims," etc.....								
456. Mr. GLEASON: An act to amend sections 971, 972, 973, 975 and 976 of Vol. II of Hill's Annotated Statutes and Codes of Washington.....	582	588						

457. COMMITTEE ON FISHERIES: Authorizing the State Fish Commission to transfer to the United States the State Fish Hatchery, known as Baker Lake Fish Hatchery, located in Whatcom county, and declaring an emergency.....
462. Mr. FIELD (by request): An act relating to the sale of allotted lands to Indians.....
469. Mr. PENDERGAST: An act relating to chattel mortgages and the filing thereof, and repealing all laws in conflict therewith.....
470. Mr. HELBIG: An act for the relief of certain persons and companies who furnished supplies to and performed services for the State of Washington in connection with mobilization of the First Regiment of Washington Volunteers at Camp Rogers, in May, 1898.....
472. COMMITTEE ON EDUCATION: An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, amending sections 6, 10, 11, 22, 30, 33, 34, 45, 49, 54, 56, 78, 97, 99, 101, 102, 103, 111, 121, 141, 142, 144, 153, 175, 177, 222, 223, 235, all being of said act; also declaring an emergency.....
474. Mr. SHELTER: An act to amend sections 1 and 10 of an act entitled "An act to provide for annexing certain county territory to a neighboring county to which it is contiguous," approved March 9, 1891 (Laws of 1891, p. 330).....
486. Mr. SCOTT: An act to suppress and punish persons stealing rides on cars, engines and trains, and defining negligence relative thereto, and authorizing train men to arrest and prosecute offenders against this act.....
488. COMMITTEE ON FISHERIES: An act to encourage and protect the coacher of deep water oysters in the State of Washington, and declaring an emergency.....
489. Mr. SUTABY: An act to amend an act entitled "An act accepting the terms of an act of Congress, approved August 18, 1894, providing for the reclamation, settlement and disposition of the one million acres of arid land granted therein, making appropriation therefor and declaring an emergency," approved March 22, 1894, and to amend an act entitled "An act to amend an act entitled "An act accepting the terms of an act of Congress approved August 18, 1894, providing for the reclamation, settlement and disposition," etc.....
491. Mr. FRYE: An act in relation to sales of tide lands, and to permit partial payments to be made thereon.....
496. Mr. MYERS: An act amending section 138 of Vol. II of Hill's Annotated Statutes and Codes of Washington relating to actions for injuries causing death.....

390	398	398	399	398	398	398
592	586		637		668	668
621			687		705	705
582	598	660	675	675	660	664
560 708			670	670	694	694
597						
597		638	678	678	682	682
526 560	566		634	634	668	668
610	629					
597						
649						

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.							
	Received from House.....	Read first and second time, and referred....	Report of Committee.....	Third reading and amendments....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....
500. Mr. CLARK: An act to authorize and permit the order of the Grand Army of the Republic, a patriotic order, and also the order of the Sons of Veterans, also a patriotic order, by the State of Washington, to use the Great Seal of the State of Washington, and such other appropriate designs pertaining to said State, in the making of medals to be presented by and under the auspices of either one or both of said orders to the officers and members of the United States volunteer troops from the State of Washington who have been in active service in the war with, etc.	442	468	485				
501. (Substitute H. B. 362) COMMITTEE ON TIDE LANDS: An act providing for the reappraisal of the tide lands at and in front of the cities of New Whatcom and Fairhaven, Whatcom county, Washington.	582	588		694	694		664
502. JUDICIARY COMMITTEE: An act to amend section 1 of an act entitled "An act to amend section 14 of an act entitled 'An act in relation to prosecuting attorneys, defining their duties and fixing their compensation,'" approved February 4, 1886, the same being section 231 of Vol. I of Hill's Annotated Statutes and Codes of Washington, approved March 7, 1888, being section 4765 of Ballinger's Annotated Statutes and Codes of Washington.	582	587					
505. Mr. HELIG: An act regulating the making of findings of fact and conclusions of law in the Superior Courts of the State of Washington appealing from judgments rendered thereon.	585						
506. COMMITTEE ON MUNICIPAL CORPORATIONS (substitute for House bill No. 274): An act relating to the powers of cities of the fourth class, and declaring an emergency.	582	587	689	678	678		682
507. JUDICIARY COMMITTEE: An act relating to justices of the peace and constables in cities of the third class, and fixing their salaries.	582						
508. COMMITTEE ON JUDICIARY (substitute for House bill No. 294): An act to define the liabilities of railroad corporations in relation to damages sustained by their employees and to define who are fellow servants and who are not fellow servants and to prohibit contracts limiting liabilities under this act.	581	550	639				

510.	Mr. DORSEY: An act to amend sections 22 and 23 of an act entitled "An act to amend sections 3 to 31, both inclusive, of an act entitled 'An act classifying the counties according to population, enumerating the county officers, officers, fixing the salaries thereof, providing for deputies, collection of fees and payment of salaries,' received by the governor March 26, A. D. 1890," approved March 20, 1895.....	597
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514.	Mr. TOTTEN: An act to prohibit the maintaining, conducting, operating, playing or using nickle-in-the-slot machines, or other devices of like character, wherein are used cards, dice, or any substitute therefor, or wherein there enters any element of chance.....	610
516.	Mr. HELLIG: An act relating to the fees of witnesses in certain cases and providing in what cases they shall not be allowed.....	610	629	.....	.....	.....	.....	.....	.....	.....
517.	Mr. BEDFORD: An act to amend section 17 of an act entitled "An act to regulate the practice and proceedings in civil cases," approved December 7th, 1881.....	626	.....	.....	.....	.....	.....	.....	.....	.....
519.	COMMITTEE ON STATE UNIVERSITY: An act providing for the payment of certain delinquent and accruing interest, making an investment of the permanent school fund, making an appropriation therefor, and declaring an emergency.....	542	550	551 } 660 }	668	660	664	664	664	664
521.	JUDICIARY COMMITTEE: An act relating to garnishment in justices' courts..	596	.....	.....	.....	.....	.....	.....	.....	.....
531.	COMMITTEE ON REVENUE AND TAXATION: An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, and providing for the extension and completion of the tax rolls by the assessor and making him clerk of the board of equalization, and declaring an emergency.....	610	629	.....	679	.....	704	704	705	705
533.	Mr. GOSE: An act authorizing cities and towns to construct sewers and drains.....	643	.....	.....	696	.....	704	704	705	705
534.	COMMITTEE ON PUBLIC MORALS: An act to prohibit the sale or offering for sale or bringing into the state for the purpose of sale or giving away of any cigarettes, cigarette paper, or substitute thereof, and prescribing a penalty for the violation thereof.....	638	.....	.....	.....	.....	.....	.....	.....	.....
535.	Mr. THACKER: An act providing for the honorable interment of bodies of Washington Volunteers returned by the government of the United States, making an appropriation therefor, and declaring an emergency.....	652	.....	704	704	704	694	694	694	694

HISTORY OF SENATE MEMORIALS.

NUMBER. AUTHOR AND SUBJECT.	Read first and second time, and referred....	Report of Committee	Third reading and amendments	Vote on final passage	Other action in Senate.....	Message from House.....	Signed by President of Senate ..	Signed by Speaker of House.....	Signed by the Governor
1. Senator HIGH: Relative to the Northern Pacific land grant.....	40	290							
2. Senator ANDREWS: Relating to the American merchant marine.....	118	183 { 213 }	223	223 { 298 }	226	304		327	342
3. Senator HAMILTON: Relating to the passage of a bill now pending in Congress, for the benefit of the American merchant marine.....	118	194							
4. Senator HIGH: Memorializing Congress to aid American shipping and American producers of export agricultural products	150	183		285					
5. Senator WILSHIRE: Relating to ceding an American port in the Territory of Alaska to the Canadian government.....	280		280	280		289		327	342
6. Senator BIGGS: Regarding the Nooksack river, in Whatcom county.....	296	584							
7. Senator ANDREWS: Relating to American shipping.....	343				648				
8. Senator ANDREWS: Memorializing Congress to divide the Thirteenth Lighthouse District of the United States.....	415	415	703	703					

HISTORY OF HOUSE MEMORIALS IN THE SENATE.

NUMBER AND SUBJECT.						
	<i>Received from House</i>	<i>Read first and second time, and referred</i>	<i>Report of Committee</i>	<i>Third reading and amendments</i>	<i>Vote on final passage</i>	<i>Other action in Senate</i>
						<i>Signed by President of Senate</i> ..
						<i>Signed by Speaker of House</i>
3. Petitioning Congress to appropriate \$20,000 to remove obstructions from Snake river.....	150	164) 184		209	209	241
4. Relating to rights of settlers within the granted limits of the N. P. Ry. in Clarke and Cowitz counties.....	73	84	89) 228	253	89) 253	297
6. Relating to lighthouse and military reserves.....	357	375	366			
7. Relating to election of United States Senators by a direct vote of the people.....		223				
9. Memorializing Congress to favor legislation for the improvement of the Columbia river.....	442	469	462		534	572
12. Asking Congress to establish a dental department in the United States army and navy.....	572	566				

HISTORY OF SENATE JOINT AND CONCURRENT RESOLUTIONS.

NUMBER, AUTHOR AND SUBJECT.	Presented in Senate	Report of Committee	Action in Senate..	Message from House	Reported enrolled..	Signed by President of Senate ..	Signed by Speaker of House	Signed by Governor
1. Senator PLUMMER: To have 2,500 copies of Governor's message printed.....	34	.....	34	52	185	188	193	.....
2. Senator COLE: To procure suitable flag for capitol building.....	15	.....	15	52	184	188	193	.....
3. Senator PLUMMER: Respect for late Senator Horace E. Houghton.....	47	.....	47	72	109	.....	122	164
4. Senator LAND: Respect for late Ex-Senator Virgil A. Pusey.....	47	.....	47	72	109	.....	122	164
5. Senator COLE: Relating to chairs for use at joint session.....	86	.....	86	.....	.....	.....	.....	.....
6. Senator MEGLER: Relating to concurrent fish legislation with the State of Oregon	115	.....	115	.....	.....	.....	.....	.....
7. Senator T. J. MILLER: Relating to election of United States Senators by direct vote of the people.....	148	155 } 155 } 343 }	209	324	.....	355	357	.....
8. Senator HAMILTON: Relating to the death of Mrs. Will D. Jenkins, wife of Secretary of State	185	.....	185	186	.....	.....	.....	.....
9. Senator MEGLER: Relating to the appointing by the Governor of a commission to meet a like commission from the State of Oregon to determine the boundary line of the Columbia river between the two States	201	380 } 419 }	.....	405	.....	420	419	549
10. Senator COLE: To appoint a committee to visit the Cheney Normal School	201	.....	.....	.....	.....	.....	.....	.....
11. Senator PLUMMER: Relating to the First Washington Volunteers at Manila.....	229	238	238	.....	.....	.....	.....	.....
12. Senator Willshire: Relating to transmitting Senate memorial No. 5 to President McKinley.....	280	.....	280	289	.....	.....	.....	.....
13. Senator RUNNER: Relating to the appointment of a joint committee to report a bill or bills for the investment of the permanent school funds.....	302	.....	.....	340	.....	.....	.....	.....

14. Senator PRESTON: Relating to the employment of the state charges at penal and reform institutions.....	342		342	405			
15. Senator T. J. MILLER: Relating to direct legislation.....	397						
16. Senator ANDREWS: Relating to desks used by Issac I. Stevens, first Governor of Washington Territory, to be delivered, one to Ferry Museum at Tacoma and one to State University at Seattle.....	510		510				
17. Senator HIGH: Relating to the introduction of a bill	615		615	619			
18. Senators PLUMMER and McREAVY: Relating to the death of Ex-Senator J. C. Horr	708		708			708	

HISTORY OF HOUSE JOINT AND CONCURRENT RESOLUTIONS IN THE SENATE.

NUMBER AND SUBJECT.	Received from House.....	Taken up in Senate	Report of Committee	Action in Senate..	Signed by Speaker of House.....	Signed by President of Senate ..
1. Greetings to President McKinley	170	176	216			
2. Relating to funeral of late Arthur A. Denny.....	15	15		15	123	123
4. Relating to coal on the Pacific coast.....	340			349		
5. Relating to excluding of American citizens from the Atlin gold fields in Dominion of Canada.....	53	68		68	138	122
8. Memorializing Congress not to ratify the free importation of coal, lumber, etc., into the United States from the Dominion of Canada.....	72	73	98	147 / 208 }		
9. Relating to joint legislation of the States of Oregon and Washington regarding fish laws.....	95	95			152	153
10. Relating to the death of the late Hon. John W. Felghan.....	94			152		153
12. To promote commerce and increase foreign trade of United States	160	164 / 184 }		189 / 224 }	240	241

HISTORY OF HOUSE JOINT AND CONCURRENT RESOLUTIONS IN THE SENATE—CONCLUDED.

NUMBER AND SUBJECT.

	Received from House.....	Taken up in Senate.....	Report of Com- mittee.....	Action in Senate..	Signed by Speaker of House.....	Signed by Presi- dent of Senate..
13. Requesting United States Senators from the State of Washington to vote in favor of the treaty of Paris.....	148	164	216	226		
14. Relating to the employment of D. C. Conover, committee clerk of joint committee on joint legis- lation of Oregon and Washington.....	152			166	180	
19.	370	382			570	570
20. Relating to Harry W. Carroll.....	462	463 306		506	559	559
21. Relating to securing offices for state officers for the ensuing two years.....	447	463				
23. Authorizing the introduction of a bill.....	570	571		571		
24. Authorizing the introduction of a bill for the honorable interment of the Washington Volunteers..	613	608		608		
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